

# NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting April 15, 2015

## 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
Kenneth Dignan	Present
Sam Iaquinto	Present
Larry Roman	Present
Mark Stanalajczo	Present

Also present:

Township Manager Howard Fink  
Assessing and Building Assistant Mary Bird  
Planning Consultant Douglas Lewan,  
Carlisle/Wortman Associates  
Township Engineer Jacob Rushlow  
Recording Secretary Lisa Lemble  
Members of the Community

## 4. APPROVAL OF AGENDA

Stanalajczo asked that consideration of the Nowatzke site plan be postponed due to the applicant owing the Township a sizeable amount of money. Iaquinto recalled that Nowatzke had told the Commission that all amounts due would be paid the next time the application came before the Commission again.

Fink reported that their meeting last night the Township Board approved a settlement with Nowatzke concerning sewer fees. Stanalajczo asked that the case be postponed until the fees are paid. Chockley questioned whether the payment could be a condition of approval and said as she understands all outstanding amounts would have to be paid before a certificate of zoning compliance could be issued. Lewan confirmed that. Stanalajczo said he would be comfortable with that condition. Dignan noted no conditional approval is required because this is simply a matter of an existing ordinances being enforced. Stanalajczo said he would still like it to be part of any motion for approval.

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

## 5. FIRST CALL TO THE PUBLIC

**Nowatzke Site Plan.** Dale Brewer, 11548 East Shore Drive, referred to copies of his written concerns about this proposal, including unpaid sewer fees and taxes totaling over \$62,000, and lack of reports, recommendations or enforcement by the Fire Marshall, Drain Commissioner, and Zoning Enforcement Officer. He said the site plan consideration should be postponed.

**Master Plan Amendment.** Craig Warburton, 450 West Joy Road, said the Board and Commission seem to be intent on encouraging any kind of development, and are undertaking a Master Plan revision only because of a request from the developer. He said that will tell developers that they can have anything they want, and he urged the Commission to put a stop to this.

## 6. CORRESPONDENCE

Chockley said she received a couple of emails from residents.

## 7. REPORTS

### 7A. Board of Trustees

Chick reported that at their meeting last night the Board:

- Allocated \$120,000 for road improvements.
- Approved Civic Event Permits for Meet on Main and German Park.
- Agreed not to continue with construction of a Board room in the Public Safety Building.
- Heard about plans for a BMX park next to the Bark Park.

### 7B. ZBA

The ZBA has not met since the last Planning Commission meeting.

### 7C. Staff Report

Nothing to report.

### 7D. Planning Consultant

Lewan reported that since March:

- He met with representatives of the owners of the Carter Lumber site about turning it into a trucking business.
- He and Fink had a productive meeting about procedures, and he will be working more closely with staff, the Chair, and Commissioners in preparing agendas and packets.
- He spoke with a woman who is interested in starting a cat rescue/kennel facility at Six Mile and Rushton.
- On Friday he will be meeting with Dennis Deschaine of Al Dente Pasta about a building proposal.
- Two minor changes to the stormwater system and façade have been proposed by the Library regarding

their approved plans, but if he finds they are not minor the changes will be brought back to the Commission. The Library is in the process of submitting detailed engineering plans.

Fink added it is possible that a significant redevelopment of the Driftwood Marina will come before the Commission. He said this may include a request for a liquor license, but the Township does not have any available, so he will be looking into the possibility of the Downtown Development Authority acquiring additional licenses for the Township. He said these are critical for small downtown redevelopment.

## 8. PUBLIC HEARINGS

None.

## 9. OLD BUSINESS

### 9A. Case #JPC14003; Nowatzke Truck & Trailer, Inc. 6900 Whitmore Lake Road; Site Plan Approval for a Convenience Store and Gasoline/Diesel Fueling Station. Parcel 02-20-300-036; Zoned GC.

Lewan reviewed the lengthy history of this proposal and the associated Conditional Use Permit (CUP) that was approved by the Township Board. He said he believes the current proposal is ready for consideration by the Commission and the applicant has been amenable to the suggestions the Township has made.

He said some of the conditions attached by the Planning Commission to the CUP have been addressed, including review and approval by the Washtenaw County Road Commission (WCRC) and the Township Engineer, although some issues related to engineering and zoning regulations remain open.

Regarding parking, Lewan said the ordinance requires 59 parking spaces, and while only 46 are shown on the plans there is ample paved area and the Commission has the ability to modify this requirement. He said the WCRC has approved access to the site, and the intent of the landscape ordinance has been met although a row of evergreens along the eastern edge of the site is recommended as a screen from US-23 to improve the aesthetics of the site, although even though that is not an ordinance requirement.

Lewan said signage and lighting meet ordinance requirements, and floor plans and elevations submitted are acceptable. He said he is recommending approval subject to the following between now and the detailed engineering review:

- Items in the August 13 engineer's review being addressed.
- Any zoning non-conformities being addressed.
- The applicant obtaining permits for underground storage tanks.
- Consideration of additional evergreen trees along the east side of the detention basin to provide screening from US-23.

Cousino asked why there is no Fire Marshall's report and why there is still not compliance with zoning ordinances. Lewan said he has not seen the Fire Marshall report and has not gotten a letter from the Zoning Administrator. Roman agreed those things should be addressed prior to approval.

In answer to questions about traffic, Jacob Rushlow, Township Engineer, said his August, 2014, review listed seven items that would have to be addressed with the site plan, and the applicant has done that, including submitting a traffic study. He said he and the WCRC agreed with the findings of the study and the WCRC has signed a road improvement agreement with the applicant. He said the study found that this development has an impact on the North Territorial intersection, and as a result the applicant has agreed to make a cash contribution toward future work being planned by the County to improve the intersection.

Rushlow said the site drainage issues are still being looked at, but there is no reason for those issues to hold up approval of the site plan. He said approval to proceed with construction will not be given until the applicant provides WCRC permits for the road and driveway, building department approval, fire department approval, Washtenaw County Health Department approval regarding their well, and DEQ permits for underground storage tanks.

In answer to questions from Roman, Rushlow said he believes it is possible to provide the additional capacity for the detention pond by increasing its depth or area. In answer to question from Dignan and Stanalajczo, Rushlow said DEQ permits and an operations plan are what govern potential fuel spills.

J.D. Damrath, the applicant's engineer, said the Board has approved an agreement regarding payment of utility bills, but he does not see that that issue would prevent this proposal from proceeding.

He said an oil/water separator can be installed; the DEQ issues permits for installation of tanks and then inspects them, and Nowatzke has already gotten the approval to install the tanks. Regarding handling of fuel spills, he said there are safety devices on fuel handles and hoses and on and in the tanks which are double-walled. Regarding storm runoff, he said this project is only slightly increasing runoff to the existing pond which is being increased in capacity from 45,657 to 66,195 cubic yards of storage—a 45% increase. He said there have been no problems with flooding in the past and the proposal will meet the requirements of a 75 year storm.

Damrath said Nowatzke is improving 1000 feet of road in front of his property in addition to making a cash contribution toward future improvements to the intersection with North Territorial. He said he has had a lot of discussions with Zoning Administrator Kurt Weiland and his main concern is that junk outside be screened.

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Cousino said the Commission's conditional use permit required that all zoning non-conformities be corrected. Lewan said approval of the site plan was not conditioned upon that being complete. Chockley said this property is zoned General Commercial and the agreement with the Road Commission calls for Nowatzke to make the \$10,000 contribution toward future work prior to starting work on the road.

In answer to questions, Rushlow said he does not know if the stormwater ordinance requires installation of an oil/water separator, but he would certainly require it for this type of project. In answer to questions from Dignan about stormwater, Rushlow said on redevelopment sites a standard less than the County's 100 year event requirement is often applied. He said the release rate is governed by an MDOT permit because the water drains into the US-23 right-of-way.

In answer to a question from Dignan, Lewan said there is no billboard on this site.

Cousino said the March 20<sup>th</sup> review of this proposal recommended remediation of all zoning non-conformities prior to consideration of the site plan.

► **Motion:** Chockley moved, Iaquinto supported, that the Commission approves the request from Nowatzke Truck & Trailer, Inc., 6900 Whitmore Lake Road, for Site Plan Approval for a Convenience Store and Gasoline/Diesel Fueling Station, with the following conditions:

- That concerns of the Township engineer's letter dated March 20, 2015 be addressed, specifically that the permits and other agencies' approvals be obtained, as follows:
  - The Washtenaw County Road Commission (WCRC) approves the work within the Whitmore Lake Road right-of-way and the traffic impact assessment.
  - The Washtenaw County Water Resources Commissioner's Office (WCWRD) approves soil erosion, and sedimentation control.
  - The Northfield Township Building Department (Kurt Weiland) approves the site.
  - The Northfield Township Fire Department approves the building for fire code compliance.
- That the DEQ approves the underground storage tanks and inspects them.
- That the applicant install an oil/water separator to the satisfaction of the Township engineer.
- That the concerns enumerated by the Township planner in his memo of March 20<sup>th</sup> concerning any non-conformities on the existing site be remediated according to the zoning ordinance, and keep it that way.
- Add a row of spruce trees along the eastern perimeter of the detention basin to provide screening along US-23.

- Per the NT zoning 36-866-3-1 that all fees and monies owed to the Township be paid in full.
- That a copy of the emergency spill procedures be provided to the Township.

**Motion carried 7—0 on a roll call vote.**

**9B. Master Plan/Citizen Survey—Review of Bids Received.**

Lewan reported that requests for proposal were sent to seven or eight research firms and one—Cobalt Community Research—submitted a proposal for \$10,047. Iaquinto said the cost of this proposal is in line with what was expected, so he would be in favor of sending this on to the Township Board. Cousino and Dignan suggested checking references before forwarding this to the Board. Stanalajczo suggested asking the Township Board to set aside the funds.

Fink said survey methodology is the critical issue for this survey and he has many questions about that for this company because it is only briefly touched on in the proposal. He suggested a meeting with himself, representatives of the company, the Township Board, and the Planning Commission. The Commission agreed that Fink should set this up.

Chockley recalled there had been discussion about whether there should be an amendment to the southwest quadrant. Stanalajczo said it makes sense to enlarge the scope of the review. Iaquinto said a much larger area than the Biltmore site should be included, if not the entire Master Plan.

Dignan asked whether different notifications would be required to neighboring communities if the area being considered is enlarged. Lewan said he does not know, but if that is required it would be easy to do. Chockley said if a larger area is chosen a timeline should be developed for gathering necessary information. Lewan said regardless of what area is chosen a citizen survey is a good idea.

Chick noted that a Master Plan amendment request has been made to the Commission that must be acted upon. Lewan said if the Commission decides to open up its review to the entire Township that applicant should be informed of that, but it would probably not require any specific action at this point on their request. Cousino asked if there is a time limit in which the Commission needs to respond to that request. Lewan said there is not.

Roman said he agrees with Iaquinto that if this amount of money is being spent the largest possible area should be considered.

► **Motion:** Dignan moved, Iaquinto supported, that the Planning Commission notify the staff to distribute a letter of intent to plan to start a Master Plan update.

Lewan noted the Commission does not have to update the entire Master Plan all at once. Chockley said taking this action does not require changes to all parts of the Master Plan.

**Motion carried 7—0 on a roll call vote.**

## 10. NEW BUSINESS

None.

## 11. MINUTES

### April 1, 2015, Regular Meeting

Chockley and Fink made two corrections.

- ▶ **Motion:** Chockley moved, Dignan supported, that the minutes of the April 1, 2015, regular meeting be approved as corrected, and to dispense with the reading. **Motion carried 7—0 on a voice vote.**

## 12. POLICY REVIEW & DISCUSSION

**Northfield Township Green Infrastructure Mapping Workshop.** Chockley said this has been scheduled as a Planning Commission meeting for May 20<sup>th</sup>. She said Kris Olsson of the Huron River Watershed Council will run the session, and the Township Board and public are invited. In answer to a question from Dignan, Lewan said even though the resulting map of resources would not specifically be an official document it would be appropriate to use it as in preparing a Master Plan. ~~element to aid in~~

**Land Conservancy Presentations.** Chockley noted the Legacy Land Conservancy will be making presentations for landowners that are open to the public on April 22<sup>nd</sup> in Superior Township and May 14<sup>th</sup> in Dexter Township.

**Planning Commission Packets.** Lewan noted that packets will generally be distributed electronically, but copies of full-size plans can be provided to Commissioners as requested. Iaquinto said he is in favor of the Township providing Commissioners with iPads rather than producing paper packets of meeting information.

## 13. SECOND CALL TO THE PUBLIC

**Nowatzke Site Plan.** Dale Brewer, 11548 East Shore Drive, said there are deficiencies in the plans regarding pavement and required sewer taps and asked that someone follow up on these.

**Master Plan.** Dave Barry, 9581 Earhart Road, questioned the need to spend money revising a three-year-old Master Plan.

**Agricultural Commercial/Tourism Proposal at 9623 Earhart Road.** Dave Barry, 9581 Earhart Road, objected to this proposal saying it does not fit within the zoning ordinance section that was intended for farms to operate accessory businesses.

**US-23 Project. In answer to question from Jim Nelson,** 7777 Sutton Road, Fink reported that the US-23 project was approved by the Policy Committee of the Washtenaw Area Transportation Study (WATS) on a 12-9 vote. He said he advocated strongly for this over a significant period of time, and it now goes on to SEMCOG for final approval.

## 14. COMMENTS FROM THE COMMISSIONERS

Dignan said everyone should understand that any property owner may ask for anything allowed in the zoning ordinance, and when buying property people should consider what is allowed in that zoning district.

## 15. ANNOUNCEMENT OF NEXT MEETING

**May 6, 2015,** 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, Dignan supported, that the meeting be adjourned.  
**Motion carried 7—0 on a voice vote.**

The meeting was adjourned at 9:21 P.M.

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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 May 6, 2015.

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Marlene Chockley, Chair

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Mark Stanalajczo, Secretary