

**WHITE LAKE TOWNSHIP  
PLANNING COMMISSION**  
7525 Highland Road  
White Lake, MI 48383  
**MAY 2, 2019 @ 7:00 p.m.**

Ms. Carlock called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called.

ROLL CALL: Steve Anderson  
Merrie Carlock  
Debby Dehart  
Rhonda Grubb – Secretary  
Peter Meagher  
Anthony Noble  
Joe Seward

Absent: Mark Fine – Chairperson  
Scott Ruggles, Board Liaison

Also Present: Mike Leuffgen, J&A  
Sean O’Neil, Planning Director  
Aaron Potter, DPS Director  
Sherri Ward, Recording Secretary

Visitors: 12

**Approval of Agenda**

**Ms. Carlock moved to approve the agenda as presented. Mr. Anderson supported and the MOTION CARRIED with a voice vote. (7 yes votes)**

**Approval of Minutes**

a. March 21, 2019

**Mr. Anderson moved to approve the minutes of March 21, 2019 as presented. Ms. Carlock supported and the MOTION CARRIED with a voice vote. (7 yes votes)**

**Call to the Public** (for items not on the agenda)

There was no discussion from the public for items that were not on the agenda.

**Public Hearing:**

No public hearing.

**Old Business:**

No old business.

**New Business:**

a) **Kimmel Rezoning**

Location: Located on the Southwest corner of Elizabeth Lake Road, and Avonlea Avenue, identified as parcels 12-26-107-019, 12-26-107-020, & 12-26-107-021.

Requests: **Rezoning of the above referenced parcels, from General Business (GB) to Single-Family Residential (R-1D).**

Applicants: Christopher Kimmel; William & Trisha Frost; Valerie DeFore.

Mr. O'Neil reported that this is as straightforward as it gets. At some point and time the properties were zoned General Business (GB). This area is primarily residential. Most surrounding properties are zoned R1D. They don't see people wanting to down zone their property.

The findings regarding the case are in the review letter from Gregory Elliott of McKenna.

From the McKenna review:

We are comfortable recommending that the Planning Commission recommend that the Township Board approve the request to rezone the site from GB to R-1D District for the following reasons:

1. The requested R-1D zoning district is consistent with the Master Plan and Future Land Use Map.
2. Rezoning the parcel to R-1D is compatible with the character of the surrounding area.
3. Rezoning the parcel to R-1D will not result in spot zoning.
4. The requested zoning is consistent with the historical use of the property.

At this point Mr. O'Neil agrees with the recommendation and would like to send it to the Township Board. Mr. O'Neil wanted to add that a traffic study wasn't necessary when down zoning. Ms. Carlock asked if it will help their taxes? Mr. O'Neil is not sure, you are usually taxed on use.

Ms. Carlock opened the public hearing at 7:10 p.m. There was no discussion from the public on this case and the public hearing was closed at 7:11 p.m.

**Ms. Grubb moved to recommend to the Township Board approval for the Kimmel Rezoning located on the Southwest corner of Elizabeth Lake Road, and Avonlea Avenue, identified as parcels 12-26-107-019, 12-26-107-020, & 12-26-107-021 for rezoning of the above referenced parcels, from General Business (GB) to Single-Family Residential (R-1D) and to consider all consultant comments from the McKenna report dated April 12, 2019. Ms. Carlock supported and the MOTION CARRIED with a roll call vote: Anderson – yes; Carlock – yes; Dehart – yes; Grubb – yes; Meagher – yes; Noble – yes; Seward – yes. (7 yes votes)**

This goes to the Township Board for two readings on May 14<sup>th</sup> and June 18<sup>th</sup>.

b) **Preserve at Hidden Lake**

Location: Located on the west side of Union Lake Road, and south of Hutchins Road, consisting of approximately 38.33 acres. Identified as parcel 12-36-101-001, 12-36-101-003, and 12-36-101-004. Currently zoned as (PD) Planned Development.

Requests: **1) Final Site Plan Approval**

**2) Planned Development Agreement Approval**

Applicant: PH Homes (Craig Piasecki)

8255 Cascade Ave, Suite 110

Commerce Twp, MI 48382

**Mr. Anderson moved to recuse Mr. Nobel due to a conflict of interest. Mr. Meagher supported and the MOTION CARRIED with a voice vote. (6 yes votes)**

Mr. O'Neil noted that this is for final site plan approval, final action.

Mr. Leuffgen had two review letters. For the review dated April 25, 2019 on the final site plan review the screen fences on the west side of property are not clear on the plan in his opinion. Ms. Carlock noted that these are right by peoples' homes so we should clarify it. Mr. O'Neil stated that the intent is for them to work with the plan at a later date, they would like to leave as much natural vegetation as possible to screen and buffer neighbors. We may need direction from the PC to make sure it's adequately screened.

On Item #2, final site plan needs to be signed by the Engineer. For Item #3, there are concerns from Fire Marshal Holland regarding the turning radius. This might need to be looked at to satisfy Fire Marshal Holland, especially in the town home area. This will be addressed in construction plan review. This will involve moving curbs a foot or two.

Pat McWilliams from Seiber Keast reported that they turned in the updated turning radius diagram with the construction plans.

The phasing limits of utilities will be addressed by Mr. Potter, some clarification needs to be provided.

For the Landscape Plan, all comments are outstanding plus two additional comments.

The utility locations need to match the construction plans, there are a few discrepancies.

They need to keep as much separation with trees and utilities as possible, they can address in the field.

Need to address planting limits versus fire hydrants for public safety, hydrants require unobstructed access.

A MDEQ wetlands permit will be required.

Regarding Item 5, the parks pathway to the lake, the pathways in common areas have to be accessible to everyone and a woodchip path isn't ADA compliant.

The privacy fence needs detail or notes on plans for footings on fence so there won't be on any footings on the utilities, need to take a little care with this.

A significant entrance feature is in conflict with the water main. Relocation of one or the other item or a hold harmless agreement with the Township is recommended.

Craig Piasecki stated that they are willing to do hold harmless agreement.

The PC would like to see as much as possible of the existing trees in park area, around the pond, and along Union Lake road remain. Mr. O'Neil noted that we'll keep a good count on the trees. Ms. Carlock prefers existing trees to new.

Ms. Dehart asked if they will have any kind of access on the lake through the parks. There is a natural vegetation buffer that can't be cleared. Mr. O'Neil noted that we'll ask for language in the master deed and bylaws. We'll want to get markers on every other lot to make the property corners to prevent property owners from creeping down to the water and removing that vegetation.

There was a comment in the review letter about reduction of density. Mr. O'Neil noted that the PC nicely asked the developer to take some units out, and they didn't. The board said they were fine with the density.

Mr. Anderson asked if there was anything in the bylaws about restricting off street parking. The off street parking is addressed in the McKenna letter on item #8.

In the review letter on item #10, a third sign is addressed and they are permitted to have it. They have three entrances on two road frontages – we can make an exception in a PD, and it will be added in the development agreement.

Mr. Potter noted that the hydrant spacing had a discrepancy from hydrant #9 to #10 on the southern loop. The maximum spacing is 500 feet and the developers commented they had met the spacing requirements. Mr. Potter came up with measurements of 518 feet and 520 feet. He thinks there is a problem there and will defer this to the Township engineer to check those measurements. That comment needs to be addressed. Other comments have been addressed by developer.

Regarding the phasing plan, phase 1 would create about 1,800 feet of dead end water main. Phase 2 would create about 1,200 feet of dead end water main. Some of the issues are timeline of construction. Phase 3 may not happen until year three. In reference to the public improvements – the stubs to Kettering Street, etc – wouldn't get benefit until the 2<sup>nd</sup> year. Mr. Potter asked what it would be like to live in Phase 1 and 2 while other phases are being developed with the construction traffic constantly going past the existing homes. He just wanted to comment on it. Mr. Potter asked the PC to ask the developer to redesign so it meets all modern standards. All surrounding communities use modern standards. In his opinion, redesigning the loop system would reduce dead end main and disturbance during construction. Other than that he likes the plan and the development.

Craig Piasecki stated that regarding the phasing, he has no problem bonding over. If he loops phasing all around he's got to clear and grade the entire site. He thinks the phasing and bonding over works the best for them. He'll look at doing 2 and 3 together, depending on the market. It's a lot of money to loop that around. He doesn't see this as an unusual situation, it is how they normally handle it.

Ms. Dehart asked why you wouldn't develop farthest out, so you didn't have construction traffic. Craig Piasecki stated that they are starting at Union Lake Road and then moving in.

Pat McWilliams from Seiber Keast asked Mr. Potter if it would be helpful to have a schedule to flush the ends of these every half year at the developer's expense. Mr. Potter stated that we've had this in Worthington crossing and we have to flush every two weeks to keep it clean. Flushing is expensive, we have to account for all that loss, and it's a staffing issue. Once it's built out, it's sized appropriately with the water usage.

The speed of the development depends on the market. There's no indication when it will happen. We're aware what we are creating, and the State probably will not like that. Mr. Potter stated that if the developer is willing to bond over, he has no issue with that.

Mr. Anderson asked if we have an estimate of what the bond would be? Mr. Potter stated that he didn't, the developer has the numbers. There would be a letter of credit. The approval can be subject to review letters and comments. The Township has an ordinance for how things are to be followed financially.

Mr. O'Neil noted that there are two options, either redo the phasing line or bond for it. Pat McWilliams mentioned there can be flushing at the developers' cost. Mr. Potter said that most likely, his opinion, they will need to be flushing. Mr. Potter had one other thing to comment on. If the developer is willing to offer a performance bond, he has no issue with Phase 4. Phase 4 could be cut off this plan and it would perform well. He would like to authorize us to work with developer for a timeline.

Mr. O'Neil noted that some of this is ambiguous. The screening can be looked at closer once it's cleared, and it will be reviewed then.

**Mr. Anderson moved to recommend to the Township board Final Site Plan Approval for the Preserve at Hidden Lake (identified as parcel 12-36-101-001, 12-36-101-003, and 12-36-101-004) and to consider all staff, consultant and department comments, all paths within the development need to be ADA complaint, the developer will sign a hold harmless agreement for the Township for the entrance sign over the utilities, a 500 ft. distance will be maintained for hydrant spacing, a performance bond will be provided for the water main phasing, the Planned Development Agreement will work with the Township for the three entrance signs instead of two, the screening and buffer around the perimeter will meet or exceed the minimum landscape requirements after tree cleaning, the developer will work with the Planning Department for any additional items that come up and the developer will pay for the cost of flushing if there is an impact on water quality during the phased construction periods. Ms. Grubb supported and the MOTION CARRIED with a roll call vote: Anderson – yes; Carlock – yes; Dehart – yes; Grubb – yes; Meagher – yes; Seward – yes. (6 yes votes)**

Mr. Leuffgen noted that previous comments for the Planned Development agreement have been addressed and J&A is recommending approval at this time.

The legal review from Scott Hogan at Foster Swift had an outstanding item for getting the title work in order, they have not yet received a title commitment for the property.

Mr. O'Neil noted that Exhibit B isn't complete, that will all be addressed. A provision should be added for the protection of the wetlands, such as markers for the wetland area. Mr. O'Neil suggested looking at the Ivy Glen agreement and addressing it in similar fashion. They can reference in the Development Agreement that it will be included in the Master Deed.

**Mr. Seward moved to recommend to the Township board Planned Development Agreement Approval for the Preserve at Hidden Lake (identified as parcel 12-36-101-001, 12-36-101-003, and 12-36-101-004) and to consider all staff and consultant comments, and to add language to the Master Deed or Bylaws for the protection of the wetlands. Ms. Carlock supported and the MOTION CARRIED with a roll call vote: Anderson – yes; Carlock – yes; Dehart – yes; Grubb – yes; Meagher – yes; Seward – yes. (6 yes votes)**

**Liaison's Report:**

Ms. Grubb reported that the Parks and Recreation Commission would like to construct a two mile loop pathway along M59 to Teggerdine Road to Elizabeth Lake Road and update the approach to the Fisk Farm. The Trust fund grant for the 57 acres on Brendel Lake is moving through the final stages.

Ms. Dehart reported there were 5 cases for the ZBA, 4 were approved and one was tabled due to the garage being constructed in the road right of way after being granted a variance back in 2015.

Director's Report – Mr. O'Neil reported that there are several projects coming for final approval. Over 425 residential units are being developed in the Township and we're not getting any road work attention. There is a lot of growth in this area and no funding for road improvements in this Township, and it's unfortunate. The PC will be seeing a lot of final site plans.

Mr. Leuffgen wanted to report that J&A has been acquired by DLZ, and he wanted to bring this to the attention of the PC.

**Other Business:**

No other business.

**Ms. Carlock moved to adjourn the meeting at 8:35 p.m. Ms. Grubb supported and the MOTION CARRIED with a voice vote. (6 yes votes)**

The next meeting is tentatively scheduled for June 6th, 2019.