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## WHITE LAKE TOWNSHIP

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### WHITE LAKE TOWNSHIP PLANNING COMMISSION

Regular Meeting  
7525 Highland Road  
White Lake, MI 48383  
March 17, 2016 @ 7:00 p.m.

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

ROLL CALL: Gail Novak-Phelps, Chairperson  
Steven Anderson, Vice Chair  
Debby, DeHart, Secretary- Excused  
Rik Kowall, Twp. Board Liaison  
Marrie Carlock  
Mark Fine, Excused  
Rhonda Grubb  
David Lewsley  
Peter Meagher, Excused

Also Present: Mike Leuffgen, Township Engineer  
Sean O'Neil, Planning Director  
Amy Bertin, Recording Secretary

Visitors: 1

#### Approval of Agenda

Mr. Kowall moved to approve the agenda as presented. Mr. Anderson supported and the MOTION CARRIED with a voice vote. (6 yes votes).

#### Approval of Minutes

A. February 4, 2016

Mr. Anderson moved to approve the minutes of February 4, 2016. Mr. Kowall supported and the MOTION CARRIED with a voice vote (6 yes votes).

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

There were no public comments offered at this time.

**Public Hearing**

There was no Public Hearing scheduled at this time.

**Continuing Business**

There was no Continuing Business at this time.

**New Business: File No. 15-010 Cedar Meadows**

Location: Located on the north side of Cedar Island Road between Bogie Lake Road and McGrew Lane, currently zoned (R1-A) Single Family Residential, identified as parcel number 12-29-300-007 and 12-29-476-008, consisting of approximately 68.86 acres.

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

Applicant: Joseph Schulist Builders, Inc.  
Mr. Joseph Schulist  
32969 Hamilton Court, Suite G-110  
Farmington Hills, MI 48334

Mr. Leuffgen outlined the bullet points covered in the most recent email sent to the Commissioners. The developer is going to need to get permits from Oakland County Health Dept. for the septic fields and the wells. There was no sidewalk shown to the west along Cedar Island Road. There was also no sidewalk shown on the plan in front of Lot 12. Clarification was requested on some offsite drainage areas. There is potential for significant areas coming onto the site that would need to be accommodated by the detention pond system that has the impact of increasing the detention pond size.

Initially, there was some misinterpretation regarding the gas easement along the property line. We would like to know that the easement holder is aware of the construction activity and has no objections. One more point of clarification is the low spot in the back which will be used for

a detention area straddles the property line so there might be an easement required for that. The developer is not including any of that offsite retention area for his onsite calculations.

Mr. O'Neil commented on the retention area, which is a large depression at the east side of the property line. A vast majority of it is on the applicant's property but a small portion is on the ITC property so it is not developable property. If they are going to be doing work offsite they need an easement which is something they'd have to obtain from ITC.

Pat McWilliams, Kieft Engineering. The basin area to the rear and east portion of the property, there is just a small knob of it on the ITC property. Over 90% is on our property. In our calculations, I assumed there was a wall there and said, how much do we need for drainage on our side. There will be no grading of this basin, this is a natural basin. We have plenty of capacity and we can leave it open. The water draining to their property won't be increased but it may be faster.

Ms. Novak-Phelps questioned whether an easement is required from ITC or not.

Mr. McWilliams stated it is their contention an easement is not necessary. If you are grading on their property and touching their property, then yes. But we're not impacting their property.

Mr. Kowall agreed that it is very difficult to get an easement from a transmission company. Also, it is a natural feature. The basin is rated for a 300 year storm.

Mr. Lewsley had a question regarding the exterior sidewalk to the west along Cedar Island Road. If the property next door is developed you would want a sidewalk to connect.

Ms. Carlock agreed that a sidewalk should be installed. Many children walk down there and a sidewalk will keep them off the road. There are a lot of large existing trees along the road. She would suggest they meander the sidewalk around the trees, if possible.

Mr. O'Neil highlighted the recommendations of the McKenna letter dated March 4, 2016. The applicant doesn't have an issue with providing the information required in Section 6.1 and 6.8. The interior sidewalks were just inadvertently left off the plan drawings. Item number two has been addressed, delineating the irrigated areas on the plan to ensure all plantings will be irrigated. Delineate the offsite drainage area and proposed storm water management area three and provide proof that drainage is permitted in the easement which is the item we just discussed. Show a legal description of all drainage easements.

Item number six states, if the applicant cannot obtain an access easement, area must be deducted from the lot area of the subject lots. Along the east side of the property, there is a

pipeline. It is not necessarily an access easement but is a utility easement. It is used to get to the well house and also for maintenance. Our ordinance says that access easements, road rights of way, private road and ingress/egress easements have to be deducted from the calculation of the lot area. If they don't get the pipeline company to take the easement for access off the pipeline, it should be deducted. The applicant is going to get a commitment in a document from the pipeline company saying they will use their road system that is going to be put in and then provide them an easement across their property to access this gas well instead of going through people's backyards. Other than that, there are no other issues that are outstanding that we haven't talked about and addressed or they haven't agreed to.

Steve Schulist, Schulist Builders. Regarding the easement, we initially thought it was just an access easement but there is a pipeline there. We approached the company, which is now Whiting Oil, and they said there is no way they could abandon the area. They are open to using our road system to access the natural gas well. We've gotten verbal agreement but it is just a matter of obtaining some type of documentation. He questioned the necessity of installing a sidewalk along Cedar Island Road to the west of the development. There is currently no existing development to connect to. Also, the residents won't be predominately using it or be willing to pay to maintain it.

Mr. Lewsley pointed out, regarding the sidewalk, that it was a public safety issue. You need to get the children off the road that are walking along there to get to school.

Ms. Novak-Phelps added that the sidewalk is to be installed now for future use.

Mr. Schulist addressed another issue of irrigation for the entrance island. A well will be installed to service the sprinklers to irrigate it.

Mr. O'Neil added there needs to be clear language about where the utility easements are as a safety issue.

Ms. Grubb commented that she would like to see the sidewalk installed both to the east and west of the development along Cedar Island Road.

Mr. Kowall feels all the issues have been addressed. The sidewalk should be installed to the west. It is in close proximity to the schools and would be considered good stewardship to the community to do that.

Mr. Anderson clarified what Mr. Schulist mentioned about installing a well to irrigate the island. He also would like to see the sidewalks installed.

Ms. Carlock questioned the reason for the stubs at the ends of the road system within the development. She had some concern on when the lots are sold, the residents need to be aware of the location of the pipeline if they might want to plant yard borders. Are the retention ponds going to be left as open meadows?

Mr. O'Neil confirmed that the purpose for the stubs at the ends of the road system is to be able to connect when there is a future development.

Mr. McWilliams stated there are numerous existing trees along the ITC pipeline which would act as a natural buffer to keep the residents away from there. Regarding the retention ponds, the land is going to be left alone.

Mr. Lewsley questioned how deep the 36 inch pipe running through the development was and why Lot 13 was so large.

Mr. McWilliams said the pipeline was probed and it was anywhere from four to five foot deep.

Mr. Schulist stated the gas well is on Lot 13 so cannot be fully developed. It is part of the development. There will either be a home on it or just an open area.

Mr. O'Neil stated they have 39 lots with this reserved parcel in the back. If this became the 40<sup>th</sup> lot, it triggers the requirement to bring in water.

**Mr. Lewsley moved to approve the Final Site Plan for 15-010 Cedar Meadows, conditioned upon the applicant's meeting all the conditions specified by consultants and staff, with the understanding the storm water easement issue be resolved by staff, a five ft. wide sidewalk will stretch the full length of the property along Cedar Island Road, configured in such a way that the best conservation efforts are made regarding the large trees, and a utility access agreement be obtained regarding accessing the pump house, with clarification of item no. 6, the applicant is not required to deduct the easement area from the lot area, subject to approval by staff. Mr. Kowall supported and the MOTION CARRIED with a roll call vote. (Anderson-yes/Carlock-yes/Grubb-yes/Kowall-yes/Lewsley-yes/Novak-Phelps-yes)**

#### **Liaison's Report**

Ms. Grubb had nothing to report as the Parks & Rec Committee meeting was canceled due to a quorum not being present.

Mr. Kowall highlighted the items discussed at the recent Township Board meetings. There was a significant discussion regarding allegations of potentially contaminated soil being placed on

the Ruggles Farm. The Amendments to Zoning Ord. No. 58 were approved. An Eagle Scout presented a sign project for the Community Garden located at the Calvary Lutheran Church. An agreement was entered into for improvements to Cooley Lake. Contracts were awarded for sewer projects on Castlewood and Nordic Drive. The developer of Oak Pond Community will be required to cap off the asphalt. A resident recently purchased a piece of property and requested that the code be waived requiring him hook up to water. Clerk Lilley and his wife celebrated their 50<sup>th</sup> wedding anniversary.

Ms. Novak-Phelps had nothing to report as the ZBA meeting was canceled due to bad weather. There will be a meeting coming up next Thursday, March 24<sup>th</sup>.

#### **Planning Consultant's Report**

There was nothing to report.

#### **Director's Report**

Mr. O'Neil reported that Kroger is making good progress and will potentially open the fall of 2016 rather than spring of 2017. The Master Plan will need to be updated this year. The existing one is in good shape so there won't be many changes needed. The CIP annual update will be started sometime in June. There is a special meeting scheduled for March 31, 2016 @ 7. This was set to deal with Modern Messages Dance Studio on Nordic Drive. They are struggling to get plans turned around rapidly. We are offering to set special meetings to help the process along.

#### **Communications:**

##### **Next meeting dates:**

Regular Meeting - March 31, 2016 - (Special Meeting)

Regular Meeting - April 7, 2016

#### **Adjournment**

Mr. Kowall moved to adjourn the meeting at 8:09 p.m. Mr. Anderson supported and the MOTION CARRIED with a voice vote. (6 yes votes)