

PLANNING COMMISSION REGULAR MEETING MINUTES
Wednesday, June 2, 2010

I. Call to Order - Pledge of Allegiance - Roll Call

The meeting was called to order at 7:02 p.m. by Vice-Chair **Zay** and opened with the Pledge of Allegiance.

Roll Call **Beth Ball - present**
 Donald Hartwick – present
 Keri Kittmann – present
 John Maahs – present
 Francis McNamara – absent
 Charles Openlander - present
 Ronald Overton – present
 Richard Turcotte – arrived at 7:06
 Ulrika Zay – present

Also present – Andrea Polverento, Planning Director, **Phil Hanes**, Clinton County Drain Commissioner, **Jon Morrison**, Clinton County Drain Commission, **Mike Smith**, **Nick Bolhouse**, and several Township residents.

II. Communications Received

Polverento reviewed the correspondence.

III. Agenda Approval

MOTION by **MAAHS** and seconded by **OVERTON** to approve the agenda as presented.
Passed 8-0, 1 absent.

IV. Public Comment – Non-Agenda Items - None

V. Approval of Minutes from April 7, 2010 Regular Meeting

Zay would like to make a change to indicate that she was on the site plan review committee, and that **Maahs** was an alternate on the ordinance review committee. **Turcotte** would like the phrase “perception of, “ preceding “a potential conflict of interest” on page 3, regarding the Zoning Board of Appeals representative.

MOTION by **OVERTON** and seconded by **MAAHS** to approve the minutes of the May 5, 2010 regular meeting as amended.
Passed 8-0, 1 absent.

VI. Public Hearings –

A. Case #10-04 SLU – Deer Creek – Site Condominiums

Turcotte reviewed the public hearing process. The public hearing was opened at 7:15pm.

Polverento presented the Deer Creek application for a special land use permit for site condominiums. She noted the comments received from the agencies, including the Michigan Department of Natural Resources and Environment (MDNRE), the Southern Clinton County Municipal Utilities Authority, and the Road Commission. She also noted that the office had not received a recorded deed for the property since the foreclosure process was complete.

Overton questioned if the development had the same number of units and layout from previous applications. **Polverento** responded that it was the same.

Nick Bolhouse, applicant, TerraTrust Earth, LLC, addressed some of the questions that had arose. He clarified the ownership and title issues, detailing the process to complete a registered deed. He indicated one would be available prior to the Township Board meeting. He presented information regarding the mediation and court settlement with a former project partner. He discussed the development of bylaws and site condominium documents, and explained that they would have those established within 30 days of approval of the special use permit.

Polverento asked **Bolhouse** about the wetland monitoring required by the MDNRE. **Bolhouse** explained that he had been working with Gary Marx, of Marx Wetlands, LLC, to sign and monitor the wetlands on the Deer Creek site as required by the state. He noted that the company that had been previously conducting the monitoring had recently gone out of business.

Polverento asked **Bolhouse** about the outstanding issues from the Road Commission. **Bolhouse** noted he still has to pay a deposit for the top coat of asphalt, and he needs to complete a survey of the cul de sac turnaround at the end of Phase I.

Turcotte asked for additional clarification of the ownership issue. **Polverento** suggested a condition of approval be to present a registered deed.

Turcotte opened the floor to questions from the audience.

Mark Jones, 16071 Watertown Parkway, stated that he was not adverse to or against the development, and asked about a prior trailer park permitting effort, which at the time had required that the trailer park be on a major thoroughfare. He stated that the Deer Creek project had been approved prior to the road being established, and he asked to be brought up to speed on what the previous approvals were for, and why a change was being requested at this time.

Polverento explained that a previous Final Preliminary Plat had been approved, but had expired in 2008. Therefore, the Final Preliminary Plat was no longer in effect, and a new application would have to be made. She noted that the traditional plat process can be a lengthier process and the applicant had made the decision to apply for a site condominium project instead.

Jones asked if there were fewer restrictions for site condominium subdivisions versus platted subdivisions. **Polverento** explained that the restrictions for each were quite

similar. **Jones** asked about the parcel size of 40 acres, and the lot sizes, as some of those 40 acres would be road, and wetland, etc. **Polverento** explained that the parcel is 40 acres, and that lots sizes ranged from 20,000 square feet to just under 1.5 acres. The average lot size would be approximately .6 acres.

Steven Bretz, 6750 and 6800 West Grand River, noted that his property was adjacent to the Deer Creek project, and stated that there was a Township plan that suggested the Township wanted to develop this project into site condominiums. **Polverento** stated that the Deer Creek parcel was zoned Single Family Residential. **Bretz** stated that it was zoned single family residential with a long term plan for site condominiums. **Overton** stated that there was no plan that specified site condominiums for that area. **Polverento** stated that the master plan did indicate residential for this parcel, but that it did not specify site condominiums. **Bretz** asked if the project called for two units per lot. **Hartwick** stated that the property was zoned for single family only, and that this application only called for single family detached units. **Bolhouse** stated that it is a common misconception that condominiums are always multi-family units. He further clarified that the development he was proposing was for single family detached units. **Turcotte** explained that no previous plans were being considered for this site. The application received was for single family units, not multi-family or duplex units. **Zay** explained that there would be some type of homeowners association with rules and regulations, like landscaping for example. **Zay** asked if **Bretz** was concerned about adjacent land zoning. **Bretz** said he was concerned about traffic, having seen accidents in the area. He said that previous projects for this area had included a second road out of the development. He asked if there would be any new roads to handle traffic from the development. **Bolhouse** explained that the Road Commission permits 40 lots per single ingress/egress, and there would be no new roads.

Jones asked that if the Road Commission restricted the development to 40 units with one entrance and exit, that if this development was all it could be until there is a second road. He questioned the parcel size and noted that the full 40 acres would not be available for development. **Turcotte** stated that the ingress/egress issues would be for the road commission to enforce. He said the applicant would be following the rules of the road commission and that compliance with their regulations would be a condition of approval. **Polverento** stated that the permit would state the number of approved units, and that any attempts to further develop this site would require either new or amended permits which would trigger this process to begin again.

Theresa Jones, 16071 Watertown Parkway, questioned the phasing process. **Polverento** explained that the special land use permit would encompass the entire development, however, the site plan review only applies to Phase I, and each subsequent phase would be required to obtain final site plan approval before they could begin development in those phases.

Caroline Turland, 6680 Bunker Hill Drive, asked if this was site plan review for the whole project. **Polverento** explained the special land use permit covered the whole development, but site plan review only covered phase I. **Turland** asked if the applicant could come back with plans for a new road to expand the project further. **Polverento** stated that they would have to apply for a new permit if that was desired. **Turland** said

that she had lived adjacent to this property since 1986, and that her understanding as to why previous attempts to develop this site had failed was due to it not having access to a major thoroughfare, and that now the development only has the one entrance on Watertown Parkway. She noted a previous purchase of land by another individual to build a second road for ingress/egress. **Polverento** said that a second ingress/egress was not proposed in the plan that was under consideration. **Turland** asked how it could be allowed, since Watertown Parkway is not a major thoroughfare. **Polverento** and **Turcotte** explained that the Clinton County Road Commission allows it. **Turland** asked about a water easement. **Polverento** explained there was a water easement for access to Grand River. **Turland** expressed her concern over previous attempts to locate a trailer park on the site. **Polverento** explained that the application was not for a trailer park. **Turland** stated that due to these previous experiences, she wanted to be very clear on what would be done on the property. She stated there were previous applications for a planned unit development with greater density. She asked why the application was for a condominium development now, rather than just single family homes as it was originally approached. **Bolhouse** explained why the application was for site condominiums. **Turland** stated she hoped the Planning Commission would consider the pros and cons to site condominiums and standard single family lots.

Hatwick explained in detail the definition of a site condominium, to clear up any remaining confusion or misconceptions.

Turcotte closed the public hearing at 8:00 pm. He explained the Planning Commission would deliberate on this issue later in the meeting.

B. Case # 09-01 TXT - Wind Energy Conversion Systems

Turcotte opened the public hearing at 8:01pm.

Polverento outlined the zoning ordinance amendment for wind energy conversion systems.

Caroline Turland, 6680 Bunker Hill Drive, questioned the size lot required for a turbine. **Turcotte** explained the height and setbacks required for the tower, which could limit the size turbine allowed for a particular lot.

Hartwick clarified the “required front yard.”

Overton asked about the fall zone. **Polverento** explained that the setbacks were designed to ensure that the turbine would fall on the subject lot.

Turcotte closed the public hearing at 8:12 pm.

B. Case # 10-03 TXT – Accessory Buildings

Turcotte opened the public hearing at 8:12 pm.

Polverento outlined the zoning ordinance amendment for accessory buildings.

Caroline Turland, 6680 Bunker Hill Drive, asked what a “principal use or main building” was. **Turcotte** and **Hartwick** explained a principal use and main building.

Turcotte closed the public hearing at 8:18 pm.

VII. Unfinished Business

A. Case #10-04 SLU/SPR – Deer Creek – Site Condominiums

The Planning Commission reviewed the Special Land Use Permit General Review Standards, Sec. 28-605.

SPECIAL LAND USE GENERAL REVIEW STANDARDS (Sec. 28-605)

Each application shall be reviewed for the purpose of determining that the proposed special land use meets all of the general standards. Each special land use will:

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

Staff & Planning Commission Comments: The proposed use meets this standard.

2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewer facilities.

Staff and Planning Commission Comments: The applicant shall comply with the requirements of the Clinton County Road and Drain Commissions, the Looking Glass Regional Fire Authority, SCCMUA, and the Lansing Board of Water and Light. These entities will help ensure the proposed use meets this standard.

3. Not create excessive additional requirements at public cost for public facilities and services.

Staff and Planning Commission Comments: The utilities have been installed by the developer, and meet this standard.

4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive effects of traffic, noise, smoke, fumes, glare or odors affecting adjacent properties, streets or uses.

Staff & Planning Commission Comments: The proposed use meets this standard.

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Motion by **OVERTON** and seconded by **MAAHS** move that the Planning Commission recommend to the Board of Trustees **approval** of **Case #10-04SLU/SPR** for TerraTrust Earth LLC, for Special Land Use Permit 10-04, a Site Condominium Subdivision known as **“Deer Creek”**, based on the findings of fact and public hearing, and their compliance with special land use general standards, provided that conformance to the conditions **1-12** as noted, are achieved to the satisfaction of the Township Zoning Administrator as being in accordance with the requirements of the Watertown Charter Township Zoning Ordinance.

Applicant tasks to receive **Special Land Use Permit:**

1. Applicant must receive Final Site Plan approval.
2. The applicant must comply with the requirements of the Department of Natural Resources and Environment and submit written approval.
3. The applicant must comply with requirements of Clinton County Drain Commissioner and submit written approval.
4. The applicant must comply with requirements of Clinton County Road Commission and submit written approval.
5. The applicant shall comply with requirements of the Township Engineer to the satisfaction of the Township Zoning Administrator.
6. The applicant shall comply with the requirements of the Southern Clinton County Municipal Utilities Authority and submit written approval.
7. Any future entrance signs along Watertown Parkway shall be subject to the review and approval of the Zoning Administrator in accordance with Section 21.8 of the Watertown Charter Township Zoning Ordinance. A Sign and Building Permit will be required to be submitted.
8. The applicant shall comply with the requirements of the Looking Glass Regional Fire Authority.
9. The applicant shall comply with the requirements of the Lansing Board of Water and Light and submit written approval.
10. The applicant shall comply with the applicable requirements of the State of Michigan Building Codes to the satisfaction of the Township Building Inspector, Municipal Inspection Services, LLC.
11. The applicant must submit a copy of the recorded Master Deed, Bylaws, and Rules & Regulations.
12. The applicant must comply with all applicable State, Federal and Township laws.

Passed 8-0, 1 absent.

The Planning Commission reviewed the site plan review standards from Section 28-82.

- A.** The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

Complies Does not Comply Condition of Approval Not Applicable

Comments: The proposed use should not affect the public health, safety or welfare nor should it impede the orderly development of surrounding property.

- B.** Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: Any temporary turnarounds should be adequate for emergency vehicles.

- C.** The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within Watertown Charter Township.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: The existing and proposed streets shall meet the requirements of the Clinton County Road Commission. The proposed streets are public, and shall be turned over to the Clinton County Road Commission in a timely manner.

- D.** Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission, or Township Board when considering the site plan as part of an application for a Special Land Use, may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: The applicant shall comply with the requirements of the Department of Natural Resources and Environment. No landscaping buffers are required by the Zoning Ordinance.

- E.** Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

Complies Does not Comply **Condition of Approval** Not Applicable

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Comments: The proposed use shall comply with the requirements of the Clinton County Drain Commissioner and written approval shall be submitted. The proposed use shall comply with the requirements of the Michigan Department of Natural Resources and Environment and written approval shall be submitted. The Township should be copied on any future wetland monitoring reports.

- F.** The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.

Complies Does not Comply Condition of Approval **Not Applicable**

Comments: No fencing is required.

- G.** All buildings and groups of buildings shall be arranged so as to permit reasonable necessary emergency vehicle access as requested by the Fire Department serving the Township.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: The proposed use shall comply with the requirements of the Looking Glass Regional Fire Authority. Any temporary turnarounds should be adequate for emergency vehicles.

- H.** All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Clinton County Road Commission, or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance. Except that the Planning Commission, or Township Board when considering the site plan as part of an application for a Special Land Use, may impose more stringent requirements than those for the Road Commission or Michigan Department of Transportation with respect to driveway location and spacing. In addition, sidewalks or similar walkways may be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: The proposed use shall comply with the requirements of the Clinton County Road Commission and written approval shall be submitted.

- I.** Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not

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obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system. Other provisions may be required to contain runoff or spillage from areas where hazardous materials are stored, or proposed to be stored.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: The proposed use shall comply with the requirements of the Clinton County Drain Commissioner and written approval shall be submitted. Each new building shall require a Soil Erosion and Sedimentation Control Permit from the Clinton County Drain Commission.

- J. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.

Complies Does not Comply Condition of Approval Not Applicable

Comments: Street lighting is already installed.

- K. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from Residential Districts or public streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height. The finished side of any wall, fence, or other screen shall face adjacent properties.

Complies Does not Comply Condition of Approval **Not Applicable**

Comments: None

- L. Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits from the site shall be determined with reference to the number of dwelling units or other land uses within the site, the nature and location of the surrounding streets, the effect of traffic in the area, nearby topography, and other factors.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: No new entrances or exits from the site are proposed, however, future improvements to the street at the entrance point shall comply with the requirements of the Clinton County Road Commission.

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- M.** Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary County, State, Federal, and Township permits before final site plan approval or an occupancy permit is granted.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: This is a regular requirement of all applicants.

- N.** Appropriate fencing may be required by the Planning Commission, or Township Board when considering the site plan as part of an application for a Special Land Use, around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.

Complies Does not Comply Condition of Approval **Not Applicable**

Comments: None

- O.** The general purposes and spirit of this Ordinance and the Comprehensive Development Plan of Watertown Charter Township shall be maintained.

Complies Does not Comply Condition of Approval Not Applicable

Comments: The proposed use is consistent with the Future Land Use Map, and the goals and objectives of the Master Plan. The intended use is not expected to create hazards, offensive or loud noises, or excessive vibration, smoke or glare.

The Planning Commission concurred with the staff comments.

Motion by **OVERTON** and seconded by **MAAHS** that the Planning Commission recommend to the Board of Trustees **approval** of **Case #10-04SLU/SPR** for TerraTrust Earth LLC, of the Final Site Plan for Phase I of the Site Condominium Subdivision known as **“Deer Creek”**, based on compliance with site plan review standards and provided that conformance to conditions **1-12**, as noted, are achieved to the satisfaction of the Township Zoning Administrator as being in accordance with the requirements of the Watertown Charter Township Zoning Ordinance.

Applicant tasks to receive **Final Site Plan Approval**:

1. A revised overall site plan including notations for the conservation easement as requested by the Department of Natural Resources and Environment shall be provided, and shall serve as the final overall site plan.
2. The applicant shall comply with the requirements of the Department of Natural Resources and Environment and submit written approval.
3. The applicant shall comply with requirements of Clinton County Drain Commissioner and submit written approval.

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4. The applicant shall comply with requirements of Clinton County Road Commission and submit written approval.
5. The applicant shall comply with requirements of the Township Engineer to the satisfaction of the Township Zoning Administrator.
6. The applicant shall comply with the requirements of the Southern Clinton County Municipal Utilities Authority and submit written approval.
7. Any future entrance signs along Watertown Parkway shall be subject to the review and approval of the Zoning Administrator in accordance with Section 21.8 of the Watertown Charter Township Zoning Ordinance. A Sign and Building Permit will be required to be submitted.
8. The applicant shall comply with the requirements of the Looking Glass Regional Fire Authority.
9. The applicant shall comply with the requirements of the Lansing Board of Water and Light and submit written approval.
10. The applicant shall comply with the applicable requirements of the State of Michigan Building Codes to the satisfaction of the Township Building Inspector, Municipal Inspection Services, LLC.
11. The applicant must submit a copy of the recorded Master Deed, Bylaws, and Rules & Regulations.
12. The applicant must comply with all applicable State, Federal and Township laws.

Passed 8-0, 1 absent.

The Planning Commission took a five minute break. The meeting resumed at 8:55 pm.

VIII. New Business

B. Questions/Answers with Clinton County Drain Commissioner

Clinton County Drain Commissioner Phil Hanes and Engineer Jon Morrison took part in a question and answer session with the Planning Commission.

A. Case #10-07 SPR – Nottingham Fields Phase II

Polverento reviewed the case, noting that Phase II for Nottingham Fields consisted of lots 41-92. She reviewed the comments received from local agencies.

Motion by **OVERTON** and seconded by **HARTWICK** that for Case #10-07 SPR for Westport Property, that the Planning Commission accept staff's site plan review standards as written in the staff report.

Kittmann noted that for Deer Creek, item D was changed to include a condition of approval regarding compliance with the Michigan Department of Natural Resources and Environment.

Motion by **KITTMANN** and seconded by **OVERTON** to change the designation for item D from "not applicable" to "condition of approval."

Passed 8-0, 1 absent.

The Planning Commission reviewed the site plan review standards from Section 28-82.

- A.** The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

Complies Applicable	Does not Comply	Condition of Approval	Not
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Comments: The proposed use should not affect the public health, safety, or welfare, nor should it impede the orderly development of surrounding property.

- B.** Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

Complies Applicable	Does not Comply	Condition of Approval	Not
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Comments: The applicant will be making improvements at the intersection of Nottingham Fields Parkway and Stoll Road this summer, in compliance with Road Commission regulations. The applicant will also be providing a letter of credit and easement for the second entrance on Stoll Road to be completed by the Road Commission in the future, if necessary.

- C.** The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within Watertown Charter Township.

Complies	Does not Comply	Condition of Approval	Not Applicable
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Comments: The Site Plan reflects a change in road names to alleviate a problem caused by two intersections of Loxley Lane and Nottingham Fields Parkway. Loxley Lane will change to Sherwood Lane at the Gamelyn Court intersection (between lots 44 and 45) to eliminate confusion with emergency response. The existing and proposed streets shall meet the requirements of the Clinton County Road Commission. The proposed streets are public, and shall be turned over to the Clinton County Road Commission in a timely manner.

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- D.** Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission, or Township Board when considering the site plan as part of an application for a Special Land Use, may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

Complies Does not Comply Condition of Approval **Not Applicable**

Comments: The applicant shall comply with the requirements of the Department of Natural Resources and Environment. No landscaping buffers are required by the Zoning Ordinance.

- E.** Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

Complies Does not Comply **Condition of Approval** Not
Applicable

Comments: The proposed use shall comply with the requirements of the Clinton County Drain Commissioner and written approval shall be submitted.

- F.** The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.

Complies Does not Comply Condition of Approval **Not Applicable**

Comments: No fencing is required.

- G.** All buildings and groups of buildings shall be arranged so as to permit reasonable necessary emergency vehicle access as requested by the Fire Department serving the Township.

Complies Does not Comply **Condition of Approval** Not
Applicable

Comments: The proposed use shall comply with the requirements of the Looking Glass Regional Fire Authority. Previous comments regarding street name changes are also applicable here.

- H.** All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Clinton County Road Commission, or Michigan

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Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance. Except that the Planning Commission, or Township Board when considering the site plan as part of an application for a Special Land Use, may impose more stringent requirements than those for the Road Commission or Michigan Department of Transportation with respect to driveway location and spacing. In addition, sidewalks or similar walkways may be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: The proposed use shall comply with the requirements of the Clinton County Road commission and written approval shall be submitted.

- I. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system. Other provisions may be required to contain runoff or spillage from areas where hazardous materials are stored, or proposed to be stored.

Complies Does not Comply **Condition of Approval** Not
Applicable

Comments: The proposed use shall comply with the requirements of the Clinton County Drain Commissioner and written approval shall be submitted. Each new building shall require a Soil Erosion and Sedimentation Control Permit from the Clinton County Drain Commission.

- J. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.

Complies Does not Comply Condition of Approval Not
Applicable

Comments: Street lighting is already installed in Phase I, Phase II will include similar lighting.

- K. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from Residential Districts or public

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streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height. The finished side of any wall, fence, or other screen shall face adjacent properties.

Complies Does not Comply Condition of Approval **Not Applicable**

Comments: None

- L. Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits from the site shall be determined with reference to the number of dwelling units or other land uses within the site, the nature and location of the surrounding streets, the effect of traffic in the area, nearby topography, and other factors.

Complies Does not Comply **Condition of Approval** Not Applicable

Comments: Improvements to the existing intersection will be completed in compliance with Clinton County Road Commission requirements. No **new** entrances or exits from the site are proposed at this time, however, future improvements to the street at the exiting entrance point and the second entrance point shall comply with the requirements of the Clinton County Road Commission.

- M. Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary County, State, Federal, and Township permits before final site plan approval or an occupancy permit is granted.

Complies Does not Comply **Condition of Approval** Not
Applicable

Comments: This is a regular requirement of all applicants.

- N. Appropriate fencing may be required by the Planning Commission, or Township Board when considering the site plan as part of an application for a Special Land Use, around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.

Complies Does not Comply Condition of Approval **Not Applicable**

Comments: None

- O. The general purposes and spirit of this Ordinance and the Comprehensive Development Plan of Watertown Charter Township shall be maintained.

Complies Does not Comply Condition of Approval Not
Applicable

Comments: The proposed use is consistent with the Future Land Use Map, and the goals and objectives of the Master Plan. The intended use is not expected to create hazards, offensive or loud noises, or excessive vibration, smoke or glare.

Original Motion Passed 8-0, 1 absent. *(Vote on concurrence with staff comments.)*

Motion by **OVERTON** and seconded by **MAAHS** that the Planning Commission **approve Case #10-07 SPR for Westport Property, LLC**, of the Final Site Plan for Phase II of the RPUD / Site Condominium Subdivision known as **Nottingham Fields**, provided that conformance to conditions **1-12**, as noted below, are achieved to the satisfaction of the Township Zoning Administrator as being in accordance with the requirements of the Watertown Charter Township Zoning Ordinance.

- A. Applicant tasks to receive **Final Site Plan Approval:**
1. The revised overall site plan dated May 12, 2010 (depicting a total number of units of 302) shall serve as the final site plan for Phase II. Any changes to the plan shall be subject to the re-review and approval of the Planning Commission and Township Board.
 2. The applicant shall comply with requirements of Clinton County Drain Commissioner and submit written approval.
 3. A Final Grading Plan shall be submitted subject to the review and approval of the Clinton County Drain Commissioner and Township.
 4. Soil Erosion and Sedimentation Control permits shall be required for construction of each new home.
 5. The applicant shall comply with requirements of Clinton County Road Commission and submit written approval.
 6. The applicant shall comply with requirements of the Township Engineer to the satisfaction of the Township Zoning Administrator.
 7. The Clubhouse and pool shall be subject to the review and approval of the Zoning Administrator. A Zoning and Building Permit will be required to be submitted.
 8. The applicant shall comply with the applicable requirements of the State of Michigan Building Codes to the satisfaction of the Township Building Inspector, Municipal Inspection Services, LLC.
 9. Applicant must provide a copy of the Capital Region Airport Authority letter (dated April 27, 2005) to all prospective buyers.
 10. The applicant shall comply with the requirements of the Southern Clinton County Municipal Utilities Authority.
 11. Applicant must comply with all applicable State, Federal and Township laws.
 12. The applicant shall comply with the requirements of the Michigan Department of Natural Resources and Environment.

Passed 8-0, 1 absent.

VIII. Unfinished Business

D. Nomination to Dangerous Building Ordinance Ad-hoc Committee

Motion by **TURCOTTE** and seconded by **OVERTON** to recommend the nomination of Don Hartwick to the Board of Trustees as the Planning Commission representative on the Dangerous Building Ordinance Ad-hoc Committee.

Passed 8-0, 1 absent.

B. Case # 09-01 TXT - Wind Energy Conversion Systems

Hartwick suggested that there could be some confusion regarding the definition of “small.” He suggested that adding the word “primarily” would be helpful:

Wind energy conversion system, small: A wind energy conversion system consisting of wind turbines, towers, and associated control or conversion electronics, which is **PRIMARILY** intended to reduce or replace the on-site consumption of utility power.

Kittmann pointed out a small typo in Section H, there is an extra “all” that should be removed.

MOTION by **MAAHS** and seconded by **OVERTON** that the Planning Commission forward Case #09-01 TXT, as amended, to the Board of Trustees with a recommendation of approval for the following reasons and findings of fact:

1. The zoning amendment addresses areas of the Zoning Ordinance where existing language does not adequately cover current zoning issues.
2. The zoning amendment addresses a short term action item that is suggested by the master plan.

Passed 8-0, 1 absent.

C. Case # 10-03 TXT – Accessory Buildings

MOTION by **HARTWICK** and seconded by **BALL** that the Planning Commission forward Case #10-03TXT to the Board of Trustees with a recommendation for approval for the following reasons and findings of fact:

1. The zoning amendment clarifies Section 28-559 and addresses an area of the Zoning Ordinance where existing language does not adequately cover current zoning issues.

IX. Committee and Staff Reports

- A. Executive Committee Report – None
- B. Ordinance Review Committee Report – Draft Minutes 5/18/10 – No Report.
- C. Site Plan Review Committee Report – None
- D. Board of Trustees Report – Draft Minutes 5/17/10 – **Maahs** presented the Board of Trustees report.
- E. Zoning Board of Appeals – None
- F. Capital Improvements Committee - None
- G. Staff Reports
 1. Director’s Report, May 2010 – **Polverento** discussed a zoning violation that may need to go to court.
 2. Assistant’s Report, May 2010

Planning Commission Meeting Minutes

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X. Comments and Questions from Audience, Staff, and Commissioners

XI. Adjournment

MOTION by **BALL** and seconded by **MAAHS** to adjourn the meeting.

Passed 8-0, 1 absent.

Meeting adjourned at 10:29 p.m.

Date approved:

Richard Turcotte, Chair

Keri Kittmann, Secretary