

**CHARTER TOWNSHIP OF NORTHVILLE
PLANNING COMMISSION
May 28, 2019**

DATE: May 28, 2019
TIME: 7:00 PM
PLACE: Northville Township Hall
44405 Six Mile Road

APPROVED: June 25, 2019

CALL TO ORDER: 7:00 PM

ROLL CALL:

Present: Timothy Guerriero, Eric Lark, George McCarthy, Fred Shadko, Jayne Watson, Tim Zawodny

Excused: Lisa Anderson

Staff: Jennifer Frey, Township Planner

Approval of Minutes:

Planning Commission – April 30, 2019

MOTION by McCarthy, support by Shadko, to approve the April 30, 2019 Planning Commission minutes as published.

Voice vote: Ayes: All
Nays: None

Motion approved unanimously.

Correspondence: None.

Brief Public Comments: None.

New Business: None.

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|------------------------|---|
| 1. PSCON18-0002 | Maybury Meadow Site Condominiums |
| Representative: | Aldo Stenta |
| Location: | 7 Mile Road, east of Napier Road (Parcel ID#77 023 00 0018 702) |
| Request: | Final Site Plan Approval |
| Action: | Recommend to the Board of Trustees |

Commissioner Shadko disclosed that while he did not know the applicant, according to the address on the application the owner lived on his street. The Commission was comfortable that Commissioner Shadko did not have a conflict of interest and did not need to be recused for this item.

Referencing her May 10, 2019 review letter, Township Planner Frey gave the background for this request for a recommendation for final site plan approval to the Board of Trustees. The proposal was for a 4-unit site condominium development on the north side of 7 Mile Road, east of Napier. The 3.6 acre site was zoned R-2 Single Family Residential. The R-2 standards require minimum 20,000 square foot lots and a minimum 125 foot lot width. In 2015 and again in March 2018, the Zoning Board of Appeals approved a variance to allow two of the four lots to have lot widths of 114.7 feet and 122.45 feet respectively. The most compelling factor to supporting the variance was that the widths as requested would have less impact to the regulated wetland located on the site and would significantly reduce headlight glare to the property to the north. However, the variance had expired. Any positive recommendation to the Board of Trustees should be conditioned on the applicant receiving a new variance from the ZBA.

After discussing process for this application, Township Planner Frey reviewed the overall site plan for this development. Outstanding issues included:

In general

- ZBA approval of the reduced lots widths for lots 1 and 2 would be needed.
- Sheets C-8 through C-12 should be eliminated.
- The master deed should authorize lots 3 and 4 to be accessed via the common open space.

Layout/dimensional requirements

- For lot 2 there was a conflict between the drawing, which scaled to approximately 117 feet wide at the front setback, and the chart on sheet C-2 that identified the lot width as 122.45 feet. This lot and table must be updated so they are consistent.
- The lot width for lot 3 was approximately 147 feet. The table on Sheet C-2 must be updated to reflect the lot width provided on the drawing.

Landscape and Tree replacement

- The landscape plan must be prepared and sealed by a registered landscape architect.
- The replacement trees on each lot would be required to be planted by the builder prior to receiving a Certificate of Occupancy for each house. A note must be added to sheet L-1 to identify this requirement.

Pedestrian pathway

- The proposed pathway along 7 Mile must be extended to the east property line.

Regarding other department review letters:

- Fire Department: Because lot 4 had an extended driveway, the Fire Department was requiring that building be sprinklered. The applicant was planning on meeting with the Fire Department to discuss this requirement.
- Lighting was approved.

- Township Attorney: Issues remained regarding the condominium documents, and the storm water management easement that would be shared with Belmont Park condominiums.

Township Planner Frey said that her recommendation was for approval, with conditions that all items in the various review letters and the letter from the Township Attorney be addressed, prior to the applicant appearing before the Township Board.

Uldis Vitins, Vitins Engineering, 44275 Brandywyne, Canton MI, was present on behalf of this application.

Mr. Vitins addressed Township Planner and consultant comments as follows:

- The landscape drawings would be sealed by a registered landscape architect.
- They were intending to again ask the ZBA for a variance for the two lot widths.
- They would be scheduling a meeting with the Fire Department.
- They received approval from Wayne County for the storm water management system easements.
- They had also received approval from the MDEQ (Now EGLE) for culvert placement.

Mr. Vitins gave copies of the approval letters to Township Planner Frey.

Commissioner Shadko pointed out that the address for Polaris Properties/John Caulfield on the application needed to be corrected.

Since the neighbor to the north owned horses, Mr. Vitins said they had agreed to make sure that any trees planted on the north property line would not be toxic to horses.

Chair Zawodny asked for clarification regarding the lot width of lot 2. Mr. Vitins said they would measure the lot width per Township standards, as required.

In response to questions from Commissioner Lark, Mr. Vitins said they would seek the same variance as was previously granted by the ZBA. They were reviewing the comments by the Township Attorney.

Commissioner McCarthy asked if the footprints shown on the plan were placeholders. Mr. Vitins said the footprints were from models the developer had built in other areas of Northville Township; he wanted to show what would be possible on the lots.

Commissioner Zawodny asked about the pavement on the long driveway going to lot 4. Mr. Vitins said the culvert would be an elliptical culvert, which would support emergency vehicles. They were proposing a concrete driveway, and they would use a heavier concrete cross-section if necessary; this would be addressed on the Engineering Plan submittal.

Chair Zawodny opened the public hearing.

Debra Brown, 9140 Napier Road, Northville Township, said her property was immediately north of this development. She was concerned that her horse pasture fence would be damaged. She had been concerned about the drainage though it appeared that issue might be resolved as the applicants were going to share Belmont Park's storm water system. She suggested that the Belmont Park detention pond have an aerator. She appreciated the developer's commitment to making sure any trees being planted on the northern property line not be toxic to her horses; she remained concerned regarding this danger.

In response to a question from Commissioner Lark, Ms. Brown said the fence was fully on her property. There were trees on both sides of the fence in order to protect it.

Mr. Viltins said he had tried to use aerators on a number of projects in Wayne County, but those were not approved as Wayne County did not currently allow aerators because they felt it stirred up the sediment. He would, however, revisit the question with the County.

Seeing that no one else came forward to speak, Chair Zawodny brought the matter back to the Commission.

MOTION by Guerriero, support by McCarthy, in the matter of PSCON18-0002 – Maybury Meadow Site Condos, that the Planning Commission recommend final site plan approval to the Board of Trustees for the plan as presented, with the following conditions:

- The applicant seek and receive a variance from the Board of Zoning Appeals for the variance for smaller lot widths for lots 1 and 2, as described in the Township Planner's review letter and the application documents.
- The applicant demonstrate compliance with the following items:
 - All issues called out in the May 17, 2019 Township Attorney memorandum be resolved, including issues regarding site documents, easements and access to lots 3 and 4, and any other outstanding items.
 - All issues called out in the May 10, 2019 Township Planner review letter be resolved, including correct lot widths on the plans, note on the plans requiring tree plantings on each lot, extension of the sidewalk to the east property line, and any other outstanding items.
 - Resolution of issues called out in the May 20, 2019 Fire Department memorandum, including sprinkling and/or other required fire suppression for the building on lot 4, and any other outstanding items.
 - Resolution of any engineering issues regarding storm water management.
 - Determination of toxicity to horses of any plantings on the north border; materials toxic to horses should not be planted.
 - The fence on the neighbor's property just north of the subject site not be disturbed during construction.

Motion carried unanimously.

Chair Zawodny welcomed members of the Northville High School Civics class.

OTHER BUSINESS:

1. Zoning Ordinance Discussion – Building Materials

Township Planner Frey explained that based on the discussion at the March Planning Commission meeting, she had prepared further draft modifications to **170-33.6. Building design requirements** for Commission review and comment.

After Township Planner Frey reviewed the modifications to the ordinance, the Commission offered the following discussion:

- 170-33.6.(4)(c): Backlit or internally illuminated awnings were not permitted because when illuminated they functioned more as signage. Lighting for outdoor patio use would be reviewed as part of the lighting submission for a site plan.
- The following changes were suggested:
 - 33.6.A: Last sentence, 1st paragraph: The planning commission may approve alternatives on a project by project basis provided it is determined the application of these ~~standards~~ alternatives is are . . .
 - 33.6.A.(1)(a): . . . so the buildings ~~themselves are~~ complement these features as . . .
 - 33.6.A.(1)(c): . . . Colored elevations and site cross sections . . .
- It was noted that the following change should be made in the last sentence of 170-33.7.Standards for Approval, paragraph A.: The ~~site~~-plan complies . . .

MOTION by McCarthy, support by Guerriero, that the changes to section 170-33.6. as presented by the Township Planner and further modified this evening be set for public hearing.

Motion carried unanimously.

Department Reports:

Fred Shadko, Board of Trustees

- A landfill committee was now meeting regularly. With new management in place at the landfill, complaints had reduced significantly.
- The Township's vaping ordinance had been updated to prohibit sale of vaping materials to anyone under 18 years old, consistent with the tobacco ordinance.

Eric Lark, Zoning Board of Appeals

- There was no ZBA meeting in May.

Township Planner Frey

- The Building and Planning Department were working on administrative review of various plans that had been resubmitted after approval by the Commission with conditions.

Extended Public Comments: None.

Adjournment: 8:00 p.m.