

Mike Kowall, Supervisor
Terry Lilley, Clerk
Beverly J. Spoor, Treasurer



Trustees
Carol J. Burkard
Michael Powell
Todd T. Birkle
Forrest Jay Brendel

WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

WHITE LAKE TOWNSHIP PLANNING COMMISSION

Regular Meeting
7525 Highland Road
White Lake, MI 48383
August 5, 2010

Mr. Martinko called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called. Mr. Anderson and Mr. Woodhouse were absent.

ROLL CALL: Steve Anderson, Chairperson - **Absent**
David Lewsley
Michael Long
Steve Martinko, Vice Chairperson
Peter Meagher, Secretary
Gail Novak-Phelps - **Absent**
Beverly Spoor, Board Liaison
Stan Woodhouse - **Absent**
Carrie Mann

Also Present: Sean O'Neil, AICP, Planning Director
David Birchler, AICP, Township Planning Consultant
Ole Anderson, Township Engineer

Visitors: 4

Approval of Agenda:

It was moved by Mrs. Spoor to approve the agenda as presented. Mr. Meagher supported and the **MOTION CARRIED** with a voice vote (6 yes votes).

Approval of Minutes:

Minutes of July 15, 2010

Mr. O'Neil stated that on Page 2, a paragraph beginning with "A representative of the owner" should read "Duane Barbat". On Page 3, a paragraph beginning with "Todd Johnson" should read "a qualified patient who has been issued and possesses a registry and identification card shall not be subject to arrest, prosecution, or penalty in any manner..... (read from a prepared document)". Also on Page 3, in

the ninth paragraph, beginning "Mr. Anderson stated that the Commission" should read "Mr. Birchler stated that the Commission".

It was moved by Mrs. Spoor to accept the July 15, 2010, minutes as corrected. Mr. Long supported and the MOTION CARRIED with a voice vote (6 yes votes).

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

No one from the public expressed a desire to speak.

Mr. O'Neil introduced Carrie Mann to the Planning Commissioners, explaining that she is a new Commissioner appointed by the Township Board to replace Maria Michalowski.

Old Business

- a. **File No. 10-004** **Trinity Senior Living Community Building**
Location: Property described under parcel number 12-22-301-011
 Located on the north side of Elizabeth Lake Road. The subject
 property (9.13 acres) is part of the Village Lakes Planned
 Business District Development
Request: **First Review of Draft Planned Business Development Agreement
 and Documents**
Applicant: Professional Engineering Associates, Inc.

Mr. O'Neil pointed out that each Commissioner had in front of them a new document that Birchler Arroyo; Adkison, Need, and Allen; and Johnson & Anderson had reviewed and commented on. The application for the split of the property has been done, and they have agreed to incorporate in the development agreement all the items in the consultants' review letters. He stated that the staff will make sure that all the items are included.

Mr. Birchler stated that there were two items of concern to them and that he was happy that they both have been resolved. One was a discrepancy in the net acreage of .73 acres between Recital A and the legal description on the survey drawing which was the area of the future right-of-way, so the Recital was correct. The second item was the lighting plan which showed a number of additional fixtures. It turned out that the additional fixtures were a series of lights under the canopy and they are satisfied with the lighting plan and are recommending approval of the development agreement without any conditions.

Mr. Anderson referred to his letter of July 26 and stated that the property has not yet been split. The split is underway and the title work has been received. He stated that the differences in descriptions of right-of-way acreages on the various documents should probably be looked at. He also stated that there is a difference in the heights of the lighting, and the wattage, lamp style, and color as depicted on the site plan should be indicated in the agreement.

Mr. O'Neil stated that the agreement would go to the Township Board in its present state along with the recommendations of the Planning Commission and all of the consultants' recommendations. He and his

staff will make certain that all the recommendations are incorporated in the final agreement and a copy of it could be provided to the Commissioners if they would like.

The representative from Professional Engineering Associates stated that they are happy to comply with all comments and suggestions made by Johnson & Anderson and Birchler Arroyo.

Mr. Long stated that, until the split is approved and the property is sold, it will be the responsibility of the developer to maintain, and that the developer address the maintenance of the parcel by a future owner. He stated that these requirements should be made part of the development agreement and deed restrictions. Maintenance includes weed cutting and possibly grass seed and the requirement for a future owner to maintain the parcel, and to include sidewalks as a part of building.

Mr. O'Neil stated that requirements for maintenance of the severed parcel will be added to the development agreement. He also said that the signage requirements will be included on the final site plan. The final site plan itself will be part of the development agreement. The height of the lights will be 16 feet, not 22 feet 6 inches.

Mr. and Mrs. Robert Hinkle, 193 Decca, spoke of their concerns about trees on the berm behind their property and the concerns of their neighbors about trees behind their properties. They did not want deciduous trees and preferred evergreens because they would be green all year around. Leaf trees would be bare in the winter exposing their own outdoor activities as well as those of the adjacent property owners. He said the plan that he has seen shows no trees on the berm behind their home.

The developer showed the final landscape plan to the Planning Commissioners and to Mr. and Mrs. Hinkle. Trees will be planted on the berm as well as on the remainder of the property line, both deciduous and evergreen.

It was moved by Mrs. Spoor, supported by Mr. Meagher, to recommend to the Township Board approval of the Trinity Senior Living Communities Planned Business Development Agreement, File No. 10-004, Parcel No. 12-22-301-011, to include all comments and suggestions from Birchler Arroyo; Adkison, Need & Allen; and Johnson & Anderson; as well as including maintenance of Parcel C-1. The MOTION CARRIED with a Roll Call Vote (Mrs. Mann, yes; Mrs. Spoor, yes; Mr. Long, yes; Mr. Martinko, yes; Mr. Lewsley, yes; Mr. Meagher, yes. 6 yes votes).

New Business

a. Review and discuss White Lake Township Master Plan work program

Mr. Birchler stated that the focus over the last year has been on methods of developing sustainable growth in the future. Sustainable growth is less about having an ordinance that has requirements and more about building a community that people want to live in. Michigan is one of only two states that are losing population. One thing that leads to a sustainable community is providing opportunities for public input such as online surveys for business owners and residents, organizing public workshops and open houses, and presenting the results to the public via the website. A second thing is looking at a neighborhood center plan that would give a sense of place and an identity. A third thing would be the

Highland Road corridor, coming up with ways to enhance the Town Center area for example. Changes will be made to the zoning ordinance that will encourage new development.

Mr. Birchler stated that the official kickoff of the plan is slated to be September 16. At that meeting, he will provide to the Commission the parts of the Master Plan, the Parks & Recreation plan, and the Corridor Improvement Plan keeping our sights on the good elements in each of these documents. In October, using available census figures and other data sources, Township demographics will be researched to understand community makeup. In November, an online survey will be conducted; they are very inexpensive to do now and much more effective than mail-out surveys. After people fill out the survey, they can see the overall results to date. He feels that people like the workshop/open house meeting, and such a meeting could be held in July or August 2011.

Mr. Birchler stated that the goal is to invite organized groups such as churches, Parks & Recreation, the PTA, athletic groups, homeowners associations, etc., to take part in the early stages.

Originally, master plans had to be updated every ten years. The new statutes require that you must review your master plan in five years at which time you may make major changes or simply reaffirm the plan as it stands.

Mr. Martinko stated that we don't get much information about what the Township is providing now and what is planned for the future. Why not recommend to the Board an update to the website to let the public know what is available and what is being planned?

Mr. O'Neil stated that the Clear Zoning Code is unfunded at the present time and will be presented in the new budget request. Discussion took place regarding possible funding avenues. Mr. O'Neil stated that the Township website is actually embarrassing; it's not that expensive to build a website that could include the Master Plan, the Zoning Ordinance, application forms, and even have advertisements sold to local businesses. \$17,500 for the Master Plan is already budgeted for 2010, and the 2011 allocation has been verbally approved.

Mr. Martinko suggested that a joint session with the Township Board might be in order. The Board needs to know how important the steps are that we would like to take and how hard the Commissioners work. He stated that it is much easier to attract the public if information is presented; he felt that the website is extremely important and the Clear Zoning Code needs to be seriously considered.

Mr. O'Neil stated that the Township Board needs to know that the website is an integral part of the planning process. He stated that the Commissioners have been talking about three things: 1) the Master Plan at \$35,000, 2) the Clear Zoning Code which is somewhere between \$25,000 and \$30,000, and 3) the website update that could be done for a fraction of the previous two. For \$3,000 you should be able to get a pretty decent website; for several thousand, less than \$10,000, the website could be great. Maintenance could be done in-house. A whole page could be devoted to a business directory, and ads could be sold for enough to cover costs.

Mrs. Mann suggested that other departments be contacted to determine their interest in taking part in the updated website, thus making sharing costs possible.

It was moved by Mr. Lewsley, supported by Mrs. Mann, to recommend that the Township Board of Trustees approve the Master Plan proposal and spread the cost of \$37,500 over the 2010 and 2011 fiscal years, and in connection with the Master Plan update, we recommend that in the 2011 budget, the trustees seriously consider funding for the Clear Zoning proposal because it is so important to the land use in the Township and it makes land use information available to the citizens and developers, and that funding be given to an update of the Township website with possible cross charges among departments. The MOTION CARRIED with a voice vote (6 yes votes).

Planning Consultant's Report

Mr. Birchler had nothing further to report.

Director's Report

Mr. O'Neil stated that it is looking to be a busy budget year although not as complicated as last year. We need to go to the Board of Trustees on September 21 so they have it in their hands before starting to approve the budget. We could have the Public Hearing on September 2, but the concern is that the second is a holiday weekend and attendance by the public may be limited. September 16 would be a better choice; you would approve it on that date and send it to the Township Board for their acceptance on September 21. If no one objects, we will have the draft here on September 2, on the 16th we will hold the Public Hearing, and present it to the Board of Trustees on September 21.

Medical Marijuana - The Township Board decided to hold the Second Reading on October 5 which is the day before the 90-day moratorium is due to expire. At that time they would have the option to decide one way or another or, in Mr. O'Neil's recommendation, extend the moratorium. Mr. Birchler stated that he heard some talk today that the ACLU is getting set to file suit against an Oakland County area community that adopted the Federal prohibition of medical marijuana.

Mr. O'Neil announced that both Lynn Linden's parents passed away within the last two weeks. He stated that a sympathy card had been sent from the office, and he encouraged Commission members to do likewise.

Mrs. Spoor stated that she is not sure if she will be at the next meeting of the Planning Commission since she will retire effective next Friday. She stated that she would like to continue on the Planning Commission, but it would depend on what the Board of Trustees decided to do.

It was moved by Mr. Lewsley, supported by Mrs. Spoor, to adjourn the meeting. The MOTION CARRIED by a voice vote (6 yes votes).

Meeting adjourned at 8:35 p.m.