

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION**

Township Annex, 7527 Highland Road
White Lake, MI 48383
April 7, 2022 @ 7:00 PM

CALL TO ORDER

Chairperson Anderson called the meeting to order at 7:01 PM and led the Pledge of Allegiance. Roll was called.

ROLL CALL

Steve Anderson
Merrie Carlock
Pete Meagher
Scott Ruggles
Matt Slicker
Robert Seeley
T. Joseph Seward

Absent: Mark Fine
Debby Dehart

Also Present: Sean O'Neil, Community Development Director
Mike Leuffgen, DLZ
Lisa Kane, Recording Secretary

Visitors: 15 members of the public were present

APPROVAL OF AGENDA

Commissioner Meagher moved to approve the agenda of the April 7, 2022 Planning Commission Meeting.

Commissioner Carlock supported and the **MOTION CARRIED** with a voice vote: 7 yes votes.

APPROVAL OF MINUTES

- a. Regular meeting minutes of March 17, 2022

Commissioner Seward moved to approve the Minutes of March 17, 2022

Commissioner Meagher abstained from voting.

Commissioner Seeley supported and the **MOTION CARRIED** with a voice vote: 6 yes votes.

CALL TO THE PUBLIC (FOR ITEMS NOT ON THE AGENDA)

Kristen Ostimer of 807 W Oxhill Drive is concerned about the Black Rock restaurant being built and the safety of the community with the traffic that will increase. Mrs. Ostimer shared pictures with the Board. '

Tracy Saputo of 616 E Oxhill Dr has concerns regarding Black Rock, specifically the traffic entering their subdivision, stormwater runoff and contamination from an existing nearby business, Brendels.

Kevin Ostimer of 807 W Oxhill Dr spoke regarding concerns of safety if the traffic increases in their neighborhood. He would like the Oakland County Road Commission perform a traffic study. Mr. Ostimer stated that the state tested a substance that is coming up from their sump pump which was determined to be run off from restaurants, Dave & Amy's and McDonalds. The substance was deemed not to be dangerous.

Commissioner Anderson explained that the process involved with a new development is lengthy and the recent decision was strictly changing the zoning of the parcel. There will be a traffic study and all of these concerns will be taken into consideration when the time comes to review development.

Brian Gennero of 615 E Oxhill Dr also has concerns about the increase of traffic if Black Rock opens at this location and believes that the addition of street lights would be beneficial.

Christian Cassel of 604 E Oxhill Dr asked if the Black Rock was a final deal.

Commissioner Anderson explained that the business has not applied for a site plan.

Kathy Ratliff of 691 Oxhill Ct asked if a traffic light has been considered for that intersection.

Director O'Neil explained that the Township does not have any jurisdiction over traffic lights and the traffic study process.

Commissioner Seely explained the process of requesting a traffic study be completed by M-DOT by citizen request.

PUBLIC HEARING

None

CONTINUING BUSINESS

A. Preserve at Hidden Lake

Property identified as parcel numbers 12-36-101-001.

Located on the west side of Union Lake Road, and south of Hutchins Road, consisting of approximately 38.33 acres. Currently zoned (PD) Planned Development.

Requests: **1) Amended final site plan approval**
2) Amended planned development agreement approval

Applicant: PH Homes (Craig Piasecki)
8255 Cascade Ave, Suite 110
Commerce Twp, MI 48382

Director O'Neil presented the request to amend the final site plan and planned development agreement approvals that were previously reviewed by the Township Board in January 2022. There were issues with the retention basin had some inconsistencies and setbacks for individual units that needed to be addressed. The revised plans change the units from townhomes to duplexes and reduced the total number of units. Some of the unit's patios encroach in the stormwater easement, therefore indemnification language to acknowledge this in the Master Deed is necessary. It will clearly state that

any future repairs will be the responsibility of the homeowner's association and not that of the Township. All amendments that were discussed in January are included in review documents.

Commissioner Carlock asked for clarification of which unit's patios were encroaching in the stormwater easement.

Commissioner Meagher asked Director O'Neil if he is comfortable with all of the issues being resolved administratively.

Director O'Neil stated that the applicant has agreed to resolve the issues.

Commissioner Anderson stated that the applicant has a positive history of complying with staff comments.

Director O'Neil stated that he does not have any reservations or concerns that the applicant will be able to meet the requests. The issues with the pond have been resolved by the Township Board and the Planning Commission only needs to address the site plan revisions and planned development agreement amendment.

Director O'Neil requested that the applicant add more trees to unit 97.

Applicant present: Craig Piasecki responded that they will add additional trees to unit 97.

Commissioner Carlock inquired the location of the trees at unit 97.

Mr. Leuffgen presented the engineering review and noted that not much is changing. He provided clarification of the review letter dated March 30, 2022 of the final site plan, and stated that the clarifications on all documentations are providing continuity, so that the final site plan matches the Master Deed. They recommend that the Master Deed be updated to include hold-harmless language regarding the stormwater easement and recommends approval subject to all documentation reflecting updates and clarifications.

Commissioner Seward inquired if the hold-harmless language should include personal liability.

Commissioner Meagher moved to forward a favorable recommendation to the Township Board, the amendment of the final site plan subject to all staff and consultants' review comments being addressed and the addition of trees at unit 97 for the property described as parcel number 12-36-101-001 Located on the west side of Union Lake Road, and south of Hutchins Road, consisting of approximately 38.33 acres. Currently zoned (PD) Planned Development.

Commissioner Seward supported, and the MOTION CARRIED with a roll call vote (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

Commissioner Seward moved to forward a favorable recommendation to the Township Board, the amendment of the planned development agreement subject to all staff and consultants' review comments being addressed and the addition of the personal liability hold-harmless indemnification for the property described as parcel number 12-36-101-001 Located on the west side of Union Lake Road, and south of Hutchins Road, consisting of approximately 38.33 acres. Currently zoned (PD) Planned Development.

Commissioner Carlock supported, and the MOTION CARRIED with a roll call vote (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

NEW BUSINESS

A. Oxbow Lake Private Launch Association

Property identified as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres. Currently zoned (PD) Planned Development

Requests: **1) Final site plan approval**
 2) Planned development agreement approval

Applicant: Oxbow Lake Private Launch Association, Inc.
 10835 Oxbow Lakeshore Drive
 White Lake, MI 48386

Director O'Neil presented the project, stating that final site plan includes changing the type of trees to deciduous trees along Highland Road. Director O'Neil also presented the planned development agreement which will include language that defers the applicant's obligation to install a sidewalk until a triggering event, such as a sidewalk project from M-DOT is proposed.

Commissioner Anderson inquired about a timeline or what would trigger the sidewalk needing to be installed and requested that a notation be added that indicates the cost that would be involved to the applicant.

Commissioner Seward inquired about the special conditions listed that indicate the easement would be maintained by the Township.

Director O'Neil stated that the only maintenance that the Township would be responsible for is in the event that the Township makes any improvements to the easement.

Commissioner Carlock asked for clarification on the material that will be used for the fence on Highland Road.

Commissioner Meagher moved to approve the final site plan subject to all staff and consultants' review comments being addressed for the property described as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres. Currently zoned (PD) Planned Development Commissioner Seely supported, and the MOTION CARRIED with a roll call votes (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

Commissioner Seward moved to forward a favorable recommendation to the Township Board, the planned development agreement subject to all staff and consultants' review comments being addressed and that the Township would only be responsible for maintenance in the easement of improvements made by the Township for the property described as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres. Currently zoned (PD) Planned Development. Commissioner Carlock supported, and the MOTION CARRIED with a roll call votes (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

OTHER BUSINESS

A. Eagles Landing

Property identified as parcel 12-33-100-008. Located on the east side of Bogie Lake Road, south of Cedar Island. Consisting of approximately 10 acres. Currently zoned (R1-C) Single Family Residential.

Request: **Final site plan extension request**

Applicant: Better Built Homes
Charles Burt
156 East Meadow Circle
White Lake, MI 48383

Director O'Neil presented the request for an extension of the final site plan to expire February 18, 2023.

Commissioner Anderson explained that this is not setting any precedent as extensions have been issued in the past based on particular circumstances.

Commissioner Carlock inquired how many extensions can be granted and if there is a limit to how many can be approved for one project.

Director O'Neil explained that there is a limit to how many extensions would be granted. Projects which have received extensions would be required to conform to all existing ordinances and ordinance changes which have occurred since the extension was granted.

Applicant present: Charles Burt stated that the issue with DTE was resolved and has been in contact with the Oakland County Health Department regarding the test wells.

Discussion occurred about easements being provided to retain access to the school and the utility easement.

Commissioner Seely moved to approve the extension of final site plan to expire on February 18, 2023 for the property described as parcel number 12-33-100-008. Located on the east side of Bogie Lake Road, south of Cedar Island. Consisting of approximately 10 acres. Currently zoned (R1-C) Single Family Residential.

Commissioner Meagher supported, and the MOTION CARRIED with a roll call votes (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

LIAISON'S REPORT

Commissioner Dehart: Zoning Board of Appeals has no report. Director O'Neil noted that a workshop is going to occur soon to discuss the sign ordinance.

Commissioner Carlock: The Parks & Rec Board has no report.

Commissioner Ruggles: There has not been a Township Board since the last Planning Commission meeting. Commissioner Ruggles participated in an Elections Committee meeting, there are three districts that will vote on a bond issue for the school district.

DIRECTOR'S REPORT

Director O'Neil reported that two public hearings will be presented at next meeting. The draft of the Request for Proposal for review of the future land use Master Plan is being prepared. The Parks and Rec

Board Master Plan is in development.

COMMUNICATIONS

Commissioner Slicker inquired if the Township would be able to assist the residents of the Suburban Knolls subdivision in requesting a traffic light to be installed by M-DOT.

Commissioner Seely informed that webinars from EGLE that will be available if any members are interested in participating.

NEXT MEETING DATES: April 21, 2022
 May 5, 2022

ADJOURNMENT

Commissioner Anderson moved to adjourn the meeting at 8:43 PM
Commissioner Seward supported and the MOTION CARRIED with a voice vote: 7 yes votes