

CHARTER TOWNSHIP OF WHITE LAKE
Approved Minutes of the Regular Board of Trustees Meeting
April 16, 2024

CALL TO ORDER

Supervisor Kowall called the meeting to order at 6:30 P.M. He then led the Pledge of Allegiance.

ROLL CALL

Clerk Noble called the Roll:

Present:

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer
Scott Ruggles, Trustee
Liz Smith, Trustee
Andrea Voorheis, Trustee
Michael Powell, Trustee

Also Present:

Sean O'Neil, Community Development Director
Lisa Hamameh, Township Attorney
Mike Leuffgen, DLZ
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

It was **MOVED** by Clerk Noble, seconded by Trustee Ruggles to approve the agenda as presented.
The motion carried with a voice vote: (7 yes votes).

PUBLIC COMMENT

None.

CONSENT AGENDA

- A. REVENUE AND EXPENSES
- B. CHECK DISBURSEMENTS
- C. LIST OF BILLS
- D. DEPARTMENT REPORT - POLICE
- E. DEPARTMENT REPORT - FIRE
- F. DEPARTMENT REPORT - COMMUNITY DEVELOPMENT
- G. DEPARTMENT REPORT – TREASURER

It was **MOVED** by Trustee Ruggles, seconded by Trustee Powell to approve the consent agenda as presented. The motion carried with a voice vote: (7 yes votes).

MINUTES

- A. APPROVAL OF MINUTES - REGULAR BOARD MEETING, MARCH 19, 2024
- B. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, APRIL 2, 2024

It was **MOVED** by Trustee Powell, seconded by Trustee Voorheis to approve the regular board meeting minutes of March 19, 2024 and the special board meeting of April 2, 2024 as presented.
The motion carried with a voice vote: (7 yes votes).

PRESENTATION

- A. BOND PROPOSAL FOR WALLED LAKE SCHOOLS - PRESENTED BY WILLIAM CHATFIELD, DIRECTOR OF FACILITIES

Mr. Chatfield went over a brief presentation regarding the Walled Lake School District's upcoming bond proposal on the May 7, 2024 election ballot. If the bond were to pass, it would result in a decrease of the school millage of .08 mils.

Trustee Powell stated he was a graduate of Walled Lake Central, and he wanted to know if the district's IT department had considered going wireless over the proposed replacement of fiber optics system. Mr. Chatfield said due to the IT needs of the district, the fiber optic system was the best method.

Mr. Chatfield clarified \$250,000,000.00 would be bonded out without a tax increase, and there would be a 30-year debt repayment. The millage would be projected as a 30-year payout, but the bond itself was based on the monetary amount of \$250,000,000.00.

PUBLIC HEARING

- A. TO HEAR COMMENTS ON THE CONFIRMATION OF THE EMERGENCY SEWER CONNECTION ROLL 2024-01 SPECIAL ASSESSMENT DISTRICT (SAD)

It was **MOVED** by Supervisor Kowall, to hear comments on the confirmation of the Emergency Sewer Connection Roll 2024-01 Special Assessment District (SAD) and he requested a roll call vote. (No second made). The motion carried with a roll call vote: (7 yes votes).

(Kowall/yes, Roman/yes, Voorheis/yes, Powell/yes, Smith/yes, Ruggles/yes, Noble/yes)

PUBLIC COMMENT:

None.

Seeing none, it was **MOVED** by Supervisor Kowall, seconded by Clerk Noble to close the public hearing at 6:43 P.M. The motion carried with a voice vote: (7 yes votes).

NEW BUSINESS

- A. RESOLUTION #24-015; TO CONFIRM THE SPECIAL ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT (SAD) DESIGNATED EMERGENCY SEWER CONNECTIONS 2024-01

It was MOVED by Trustee Powell, seconded by Trustee Ruggles to approve Resolution #24-015; to confirm the Special Assessment Roll for the Special Assessment District (SAD) Designated Emergency Sewer Connections 2024-01. The motion carried with a roll call vote: (7 yes votes) (Smith/yes, Ruggles/yes, Noble/yes, Kowall/yes, Roman/yes, Powell/yes, Voorheis/yes)

B. REQUEST APPROVAL FOR PRELIMINARY SITE PLAN - GATEWAY CROSSING

Director O'Neil briefly went over the applicant's request.

Keith Maziasz, owner and developer of the property, said he had identified a very strong user for the site and was anxious to move forward.

Clerk Noble asked Mr. Maziasz what tenants were planned for the development. Mr. Maziasz said he was under a confidentiality agreement with the user, but the user would announce their presence when ready.

It was MOVED by Trustee Ruggles, seconded by Clerk Noble to approve the preliminary site plan for Gateway Crossing. The motion carried with a voice vote: (7 yes votes).

C. FOIA APPEAL - MALCOLM AND JENNIFER SHAW

It was MOVED by Supervisor Kowall, seconded by Clerk Noble to affirm the Police Department's reliance upon the privacy exemption to redact substantial portions of the police incident report, including medial information. However, the Township should provide a revised response to the FOIA request identifying the victim and witness names only. The motion carried with a roll call vote: (7 yes votes) (Ruggles/yes, Smith/yes, Noble/yes, Roman/yes, Kowall/yes, Voorheis/yes, Powell/yes).

D. REQUEST ADOPTION OF 2024 MASTER PLAN

Supervisor Kowall wanted to acknowledge Mrs. Mary Earley for her public input and review of the Master Plan document.

Director O'Neil thanked Mrs. Earley as well, along with the staff, Planning Commissioners, and residents that had given their time and efforts working on the document.

Trustee Ruggles thanked his fellow Planning Commissioners for all of their time spent working on the Master Plan. He thanked all the residents who showed up to meetings and gave their input.

Clerk Noble thanked the Planning Commissioners, Director O'Neil, and Staff Planner Quagliata for all of their work. He asked for clarification about the multi family statement on page 50 of the document. Director O'Neil read the excerpt from the document: "Based on existing and approved projects, there is an adequate supply of rental units to serve Township residents." He added the statement did not put an endcap on multi family housing. Multiple family housing could be an ownership or rental type product,

and the Township had its share of both. He felt the statement meant the Township was not seeking out that type of product but that the Township was caught up on it.

Clerk Noble asked Director O'Neil where the information was gathered from. Director O'Neil said the input came from the survey provided to Township residents, and the developer interest that had come through the Planning Department and gone through the planning process. Many multiple family projects had been approved over the past couple of years. The Planning Commission was focused on driving the balance back to ownership units to offset all the approved and anticipated rental units.

Trustee Smith reiterated that the Master Plan is a planning tool and a plan that was not¹ set in stone. She thanked everyone working on the document for a great team effort.

Treasurer Roman asked Director O'Neil if the statement regarding multiple family units was based on statistics from neighboring communities. Director O'Neil said the demographic information was gathered from SEMCOG and census information.

Trustee Powell stated that the Master Plan was a dynamic document. He added he was trying to get the Oakland County Road Commission to allow for bike lanes. He stated RCOC would not allow it. He said he would like to see the document bound and available in physical form.

Director O'Neil added that Beckett and Raeder would be providing an executive summary of the Master Plan to review as well.

It was MOVED by Trustee Ruggles, seconded by Trustee Powell to adopt the 2024 Master Plan. The motion carried with a voice vote: (7 yes votes).

E. FIRST READING; AMENDMENT TO ZONING ORDINANCES - ARTICLES: 2.0 DEFINITIONS, 3.0 ZONING DISTRICTS, 4.0 USE STANDARDS, 5.0 SITE STANDARDS, 6.0 DEVELOPMENT PROCEDURES, AND 7.0 ADMINISTRATION, APPEALS, AND ENFORCEMENTS

Director O'Neil highlighted a few amendments. The Restricted Business zoning would now allow for outdoor seating flexibility. Lot coverage would increase from 20% to 25% for lots that were serviced with septic, and up to 30% coverage for lots connected to sewer. The lot coverage increase would aid for those who were on lake lots. Another amendment would allow properties zoned Agricultural, Suburban Farm, and R1-A Single Family to use a gross acreage number during the land splitting process, meaning that road right of way and easements would be included in the gross acreage. The parking requirements were changed to require a parking maximum, which would prevent over parking. Variance approvals were extended from six months to 12 months, and final site plan approvals were extended from one year to two years. Many of the proposed amendments would alleviate residents and developers returning to the ZBA and/or Planning Commission multiple times.

¹ Amended by Trustee Smith

Supervisor Kowall expressed concern about the amendments to the Pontiac Lake Gateway District. The amendment in question was regarding building height. Supervisor Kowall wanted to allow for four stories with a special land use approval.

Supervisor Kowall read into the record, a letter addressed to the Board from Michael Zeer of ZeerCO Holding, LLC²

Director O'Neil said the same letter came to the Planning Commission at their meeting earlier in the month and they were not moved to make a change to the proposed amendment. The Planning Commission had previously denied a request for a five-story building in the Pontiac Lake Gateway District.

Director O'Neil suggested if the Board wanted to change the proposed amendment, they could revise the amended language for building height maximum in Pontiac Lake Gateway District to four stories or 45' with a special land use approval. He reiterated that the current language that allowed six stories and 70' was too much.

Trustee Powell asked for clarification on the building height for forty feet or three stories, whichever is less.

Director O'Neil said an applicant could not build "giant stories," and there needed to be a story and a height requirement. The wording was intentional to drive height down. The language could be rewritten to allow a maximum of 40' or three stories.

Supervisor Kowall said the intent of the district was to attract higher density and potentially in the long term, a hotel or banquet center. There would not be success bringing that type of user by limiting the height to three stories or less.

Trustee Powell asked what the ordinance defined height measured from the first floor of a structure. Supervisor Kowall stated the ground floor maximum height was measured by the ceiling height. Director O'Neil said the definition could be clarified.

Supervisor Kowall emphasized he would still want to see four stories allowed in the Pontiac Lake Gateway District with special land use approval. Treasurer Roman agreed.

Trustee Ruggles stated that the issue was a double-edged sword; the Planning Commission had reviewed requests for site plans of this nature that did not go anywhere.

Trustee Smith stated that she agreed with allowing three stories as a permitted use, and did not object to four stories allowed with a special land use, if the rest of the Board agreed.

² Correspondence attached

Chief Holland said certain buildings needed to meet fire apparatus access. He recommended reviewing building and fire code for definitions of story height.

Director O'Neil said he would be comfortable the ordinance language allowing a maximum height of 45'.

Trustee Powell stated that amendment items 32, 33, and 34 impacted the Gateway Crossing site plan due to the addition of adding gutters into the dimensions of a parking space. Director O'Neil said that particular language may need to be reviewed further.

The Board came to the consensus to postpone the consideration of the first reading of the Zoning Ordinance amendments in order to present a cleaned-up version of the document that included previously shared comments from this evening's meeting.

It was MOVED by Supervisor Kowall, seconded by Trustee Smith to postpone the consideration of the first reading of the Zoning Ordinance amendments to the next regular scheduled Township Board meeting (May 21, 2024). The motion carried with a voice vote: (7 yes votes).

F. RESOLUTION #24-020; APPROVING SIDEWALK AND TEMPORARY CONSTRUCTION SIDEWALK EASEMENTS FOR THE ELIZABETH LAKE ROAD IMPROVEMENT PROJECT - 310 TOWN CENTER

Attorney Hamameh said the Board to understand that they were agreeing to terms that they usually did not agree to. Township would be accepting responsibility over sidewalks across the properties. In one situation, the Township was agreeing to pay the other parties fees to have the easements reviewed by their attorney and their lender. The agreement letter specifically said the Township would pay up to \$5,000.00 for the easements and the project for the lender to review.

Trustee Ruggles asked Attorney Hamameh if the presented agreement was the best-case scenario for the Township. Attorney Hamameh confirmed.

It was MOVED by Supervisor Kowall, seconded by Trustee Voorheis, to approve Resolution #24-020; approving sidewalk and temporary construction sidewalk easements for the Elizabeth Lake Road Improvement Project - 310 Town Center. The motion carried with a roll call vote: (7 yes votes). (Smith/yes, Ruggles/yes, Noble/yes, Kowall/yes, Roman/yes, Powell/yes, Voorheis/yes).

G. RESOLUTION #24-019; APPROVING SIDEWALK EASEMENT FOR THE ELIZABETH LAKE ROAD IMPROVEMENT PROJECT -10770 ELIZABETH LAKE ROAD

It was MOVED by Supervisor Kowall, seconded by Clerk Noble, to approve Resolution #24-019; approving sidewalk easement for the Elizabeth Lake Road Improvement Project -10770 Elizabeth Lake Road. The motion carried with roll call vote: (7 votes) (Kowall/yes, Roman/yes, Noble/yes, Powell/yes, Smith/yes, Ruggles/yes, Voorheis/yes).

FYI

A. CIVIC CENTER UPDATE

Treasurer Roman requested Director O'Neil provide an update

Director O'Neil stated in regards to Stanley Park, a revised draft of the contract between SME and the Township was received. The Stanley Park construction meeting would be held within the next two weeks, and construction would begin sometime this May. The bid package for site work only was two weeks out from being released for bid. Redstone was proposing the entrance to the Public Safety wrapped in metal. The Board wanted the columns to be of a wood material. The Board would need to give the architects input on wood color choices. The mock ups were still intended to be installed; Director O'Neil was waiting on prices from McCarthy & Smith. There would be another update meeting next Wednesday, and the due date for designs was May 15.

TRUSTEE COMMENTS

Trustee Smith said the library summer newsletter was out, and the library was offering a booming schedule of summer activity programming. There was also a summer concert series planned with food trucks. She thanked the Fire Department for their collection of funds to support Walk for Red.

Trustee Voorheis said the White Lake Historical Society had returned from their winter hiatus and they were now meeting the second Thursday of every month at 7:00 P.M. May 18 was No Haz Day, to be held at Alpine Valley from 9 A.M. to 1 P.M.

Trustee Powell said the DPW Advisory Committee met often to discuss negotiations with Commerce Township regarding the renewal of the sanitary sewer agreement. Negotiations were going well, and there would be a meeting with Commerce Township in the near future. He stated that it was a really important item and there were people at the Township pursuing it. He thanked the public in attendance and watching at home.

Treasurer Roman said boat shrink wrap bags for recycling were for sale at the Treasury counter for \$7 per bag.

Trustee Ruggles thanked the Planning Commission for their hard work on the Master Plan document

Clerk Noble thanked his staff for their work on the upcoming election. He thanked the Planning Department and the Planning Commission for their preparation of the Master Plan

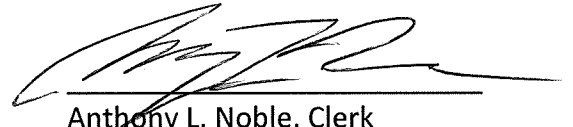
Supervisor Kowall said No Haz Day would run until 1 P.M. or until capacity was met. The Triangle Trail Project was moving forward. The shrink wrap recycling had to be done in the appropriate bags. The MTA was next week in Traverse City. He added that there was discussion at the Oakland County Association of Township Supervisors about the change of local environment and the presence of Beavers in the area.

ADJOURNMENT

It was MOVED by Supervisor Kowall, seconded by Trustee Smith, to adjourn at 8:19 P.M. The motion carried with a voice vote: (7 yes votes).

A handwritten signature in black ink, appearing to read 'Rik Kowall', written over a horizontal line.

Rik Kowall, Supervisor
Charter Township of White Lake

A handwritten signature in black ink, appearing to read 'Anthony L. Noble', written over a horizontal line.

Anthony L. Noble, Clerk
Charter Township of White Lake

Sean and Members of the White Lake Township Board,

I regret to inform you that due to prior commitments, I am unable to attend the proposed zoning change meeting scheduled for this evening at 6:30 pm. However, I would like to request that someone read the following statement on my behalf.

When I purchased my property (8300 Pontiac Lake Rd) in 2022, I did so with the understanding of its current zoning and intentions of develop a stunning multi-family component in White Lake Township. Regrettably, circumstances have not unfolded as anticipated. Nevertheless, I firmly believe that we are close to creating one of the most desirable communities in White Lake Township.

I urge the Board to exercise sensitivity in considering such a drastic change in zoning, given the substantial investment I have made in my time, energy, architectural and engineering drawings, not to mention the significant financial commitment in acquiring the property based on its existing zoning. My vision includes the construction of a 4-story, 44-unit building, a concept that had received some endorsement from the Board and the approvals for the height from the Fire Department and Airport authorities.

While I commend the Board for attentively listening to the concerns of community members, I respectfully suggest that there is more room for improvement in collaborating with developers, especially in my case as we have spent so much time and effort meeting with the Township to find the right fit. In conclusion, I am confident that I will return before the Township with a revised plan featuring fewer variances and a greater emphasis on green spaces. I am eager to work through any differences and realize my vision of creating an exquisitely beautiful community in White Lake that we can all take pride in.

Thank you for your attention to this matter.

Sincerely,

Michael Zeer, President

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