

MINUTES OF THE 474TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 20, 2017

The Meeting was called to order at 7:00 p.m. by Chairperson Zamansky at the Township Hall and the Pledge of Allegiance was recited.

WTPC Members Present: John Westman, Charles Estleman, Andrea Zamansky, and Tammy Koch, Erica Perry, Paul Zalucha, George Goodman

Members Absent: None

Also Present: Martha Zeeb, Chris Akin, John Kingsley, Randy Raiford, Gary Koch and 22 citizens

I. Approval of Agenda: Andrea Zamansky moved, 2nd by Charles Estelman, to accept the agenda as written. Motion carried unanimously.

II. Approval of Minutes: Tammy Koch moved, 2nd by Paul Zalucha, to approve the minutes of the August 16 and August 24, 2017 Webster Township Planning Commission meetings including the public hearing minutes as printed. Motion carried unanimously.

III. Zoning Administrator Report – Randy Raiford reviewed his Zoning, Property Inspection & Code Enforcement Activity Report dated September 19, 2017 (attached).

III. Township Board Report

A. John Westman arrived at 7: 08pm and apologized for being late.

B. He said at the Township Board Meeting of September 19, 2017 the Board approved:

1. The Zoning Ordinance amendments for Definition of Township Engineer, and
2. approved removing Private Landing Strips in the Ag District, and
3. approved the language associated with Agri-Tourism, and
4. approved the amendment of the Land Division ordinance for definition of Township Engineer, and
5. Approved the amendment to the Private Road ordinance regarding definition of Township Engineer.

IV. Comments from Citizens: None

V. Arlington Woods request for Preliminary and Final Site Plan approval of Open Space Preservation Site Condo

A. Randy Raiford said he reviewed the application that was submitted and several materials came in since the date of the packet.

B. Chris Atkin reviewed his Combined Preliminary and Final Site Plan Review of Arlington Woods Site condominium Development for Webster Township, Michigan dated March 8, 2017 and September 18, 2017 (attached). He said it meets the requirements of the Zoning Ordinance as they see it.

C. Scott Betzold, of Midwest Consulting, and Sean Lefere, of Northfolk Development, discussed their proposal.

1. There will be 138 trees and bushes as a landscape buffer along the east side.
2. The deceleration lane has been shortened to about 70 feet so they don't grade the Tasker's property or relocate the creek and the Tasker's tree is saved. The DEQ permit is valid.
3. The Wetland impact statement has been added.
4. They have approval from the Washtenaw County Health Department and Washtenaw County Road Commission.

5. They have the 3rd party storm water review from Mannik Smith Group, dated September 5, 2017 (attached) who reviewed the Washtenaw County Water Resources Commission and said it was okay.

D. Discussion by Planning Commission

1. Charles Estleman asked about the 20 foot road. Randy Raiford said Process Results reviewed the private road and determined it meets our standards. He also has a letter from the Fire Dept. that it is okay.
2. Andrea Zamansky said the Private Road Maintenance Agreement, the Development Agreement and Home Owner Association Bylaws have all been sent to the Township Counsel to review. We should have them by the end of September.

3. Paul Zalucha asked Chris Atkin the minimum lot width and was told 100 feet. Paul asked if we have a written waiver from the WCWRC for the 8 items mentioned in the Mannik Smith letter. Randy Raiford said he would ask them tomorrow. Paul was concerned about Lot 13 and asked Randy to find out the required distance from a well to a detention/retention pond. Paul asked, and Scott Betzold verified, that 17.45 acres is a typo and is the wrong open space on the cover page. Paul asked if they will have trails on the property as required in the Carlisle/Wortman letter. Scott said homeowners complain when people are on the walking trail and the maintenance cost for the Homeowner Association is prohibitive. Chris Atkin said he will take out this requirement as it is more of an urban setting requirement.

4. Andrea Zamansky asked about the wetland by the road and learned it will be removed and they will build a ditch. She asked the distance from the driveway to the west neighbor's wetland. Scott Betzold said it is 60 feet from the driveway to the edge of the property and will be heavily landscaped.

5. George Goodman suggested to change pets need to be registered with the Homeowners Association to instead register with Washtenaw County as they enforce it. Also he questioned Section 14 Fences in case someone wants an electric fence. It was decided to change the wording to fences can't be built without prior approval of Association and, during development and sales period, the developer ...

6. Erica Perry thought the preliminary and final site plan together needs to be more comprehensive so she moved to table until we get the items we mentioned. This was 2nd by Charles Estleman.

a. Chris Atkin said the Planning Commission is to make sure what is being proposed fits on the site and meets the criteria of the Zoning Ordinance. He recommended that to table the application based on deed and easement documentation not submitted is not the way to go. Instead make a condition of approval that these conditions be met prior to developer commencing construction.

b. Andrea Zamansky said sometimes there are real issues getting legal documents finalized. George Goodman said they operated in good faith since April and it is not fair to stall them. Paul Zalucha agreed but wanted Randy to update us on the status of open items so we know they are taken care of. Randy Raiford said he will receive all required items before putting it on the Board agenda.

c. Erica Perry withdrew her motion.

7. George Goodman moved to approve the preliminary and final site plan of Arlington Woods Site Condominium Development with conditions that Andrea stated 1) Receipt by Township of written material from Washtenaw County Water Resources Commission that they grant waiver of items noted in Mannik Smith letter dated September 5, 2017 and Water Resources Commission response is acceptable to the Township at Township's sole and absolute discretion; 2) given distance from well to detention pond in lot 13 and that it meets Washtenaw County Health Dept. standards; 3) Open space acreage on cover page is corrected; 4) Land divisions receive all approval from Zoning Administrator and Assessor; 5) Shall have agreement that uniform traffic code and other motor vehicle regulations can be enforced on private road within development; 6) development agreement will establish 433 drainage district agreement and provide required security later on; 7) all public utility easement installation on private land is protected by easements; 8) monument sign permit is obtained; 9) receive payment for all costs and expenses for Township to review application; 10) parties enter into the following documents in form and substance satisfactory to Webster Township and counsel at our sole discretion a) development agreement as referenced in Zoning Ordinance Section 3.55 and 8.05 and 12.95; b) performance guarantee for obligation in development agreement in Zoning Ordinance Section 3.60 and 8.05 and 12.95; c) Master Deed and Bylaws cover restrictive covenant and maintenance agreement for open space and private road maintenance and management provisions and any other provision deemed necessary by Township counsel. Motion 2nd by Charles Estleman. A roll call vote was taken – all aye except for Erica Perry. Motion carried.

VI. Consideration of Dexter United Methodist Church preliminary and final site plan.

A. Randy Raiford said we have received some materials since the date of the packet

B. Darren Yant of Aspen Group for landscape buffer introduced Matthew Van Dyke of Miller Johnson; David Wile is an engineer for parking, and Tim Jones and Eric Lord of Atwell for water and lighting.

C. Questions from Commissioners:

1. Paul Zalucha said the church submitted an occupancy plan drawing showing 477 seats so we should use that number for parking spaces. Randy Raiford said it is plan G1.0.
 - a. David Wile said the plan was for a remodel in front of the sanctuary that was not done so there are still only 380 seats.
 - b. Andrea Zamansky said we need written on the plan that there are really only 380 seats regardless of how many seats are shown. The church agreed they can do that.
2. Andrea Zamansky wanted to add parking spaces as the church is expanding. The parking lot must be designed for maximum capacity. The calculation needs to include the new space, kitchen and lobby area, which parking requirements can be reduced by 50% by Planning Commission unless there is overlap of uses.
 - a. David Wile said the current atrium activity will be in the new multipurpose room and they don't count the lobby as they will not be using the sanctuary and multipurpose room at the same time. The kitchen is a replacement. The children education rooms don't add to the parking calculation as the 8 – 10 teachers are parents from the church service. Worship service is the most intense use and it is hard to determine the lobby use between church services.
 - b. Matthew Van Dyke said the heaviest traffic is Sunday mornings and the Planning Commission cannot regulate for future use. He asked what parking calculation they should apply if the Commissioners don't accept the Township Planner or church calculations.
 - c. Paul Zalucha said the Zoning Ordinance requires all parking to be on site and the church is using overflow parking at the Dexter Mill. Paul White said the front lot is lightly used so they can increase the use there instead of off-site parking so there is less hard surface.
3. Andrea Zamansky said the new space is not a church, as basketball games are different than church worship, and this is a significant expansion of space. When it is approved it is approved forever and we do not want to set a precedent. The applicant could request a waiver.
 - a. Erica Perry said she does not want to increase the non-pervious surface as the building is close to the Natural River District so it would be good for a waiver.
 - b. George Goodman said the September 11, 2017 letter from the Aspen Group,(attached) said it is a multi-purpose room, but the church council and Township counsel determined when you combine the two buildings the accessory use is just a church.
4. Paul Zalucha wanted a 3rd party storm water review and storm water management facilities review as it is on the Huron River.
 - a. Matthew VanDyke said Atwell says it is in compliance and we have the Washtenaw County Water Resources Commission approval of the Storm Water Management Plan.
 - b. A man from Atwell said the site drains very well, as it is very sandy, and it exceeds requirements.
 - c. After much discussion Erica Perry said she was grateful for Paul's detailed engineering mind and we can vote. This was 2nd by George Goodman. Andrea restated the motion to not require 3rd party review of storm water management. A roll call vote was taken and John and Paul said no, Andrea abstained, and Charles, Erica, Tammy, and George said yes. Motion carried.
5. Andrea Zamansky asked about landscape screening. Darrin Yant showed photos from Aspen Group and said the church is asking that the heavy woods surrounding the property meet the intent of a landscape buffer. Andrea said a neighbor to the east complained of seeing outside storage. Tom Snyder, pastor, said they could put in bushes to screen the house to the east.
6. Chris Atkin said he based his calculation on a literal interpretation of the zoning ordinance of 1 car per 3 seats with the church as the primary use and the expansion is an accessory use and incidental to the church.
7. Paul Zalucha said he needs time to look at the church calculations and recent submittals. He moved to table the application request to next month's meeting to review documents handed out today and get detailed calculations, maybe multiple ones, and look at information just

submitted including parking and storm water report. Andrea Zamansky added to also propose rear setback variance with ZBA as 75' setback needed for athletic use facility.

- a. Matthew VanDyke wanted approval tonight and said "for the record Paul is doing this because he didn't get his way for 3rd party approval". Paul said absolutely not.
- b. Matthew Van Dyke said this is a church and not an athletic facility. Andrea Zamansky said the Commissioners cannot grant dimensional variances and if we ignore a section of the Zoning Ordinance for the basketball setback the next time someone wants an athletic facility we can't enforce the Zoning Ordinance.
- c. George Goodman suggested, based on the September 11, 2017 letter from the Aspen Group, where the Township and Church lawyers agreed this is a multi-purpose room to take this narrow conversation to the Township attorney to determine if the zoning ordinance applies or if it is a multi-purpose room. Andrea Zamansky said she would talk to Township council on accessory use and if they say the church is right that is the end of the story.
- d. Andrea Zamansky said open items are parking, storm water management calculation, new documents submitted since the packet was sent out, working out the rear setback. She restated the motion to table till future undetermined time after get through these issues. 2nd by John Westman. A roll call vote was taken and it carried unanimously.

VII PDR Report - John Westman said Jean Cares resigned the PDR Committee and Julie Frost is the replacement member. The committee has approved an appraisal on 145 acres adjacent to other protected property. The Parks and Rec. Dept. has changed their requirement to 1 visit per year. He brought a copy of a nice article from the Sun Times paper.

VIII Andrea Zamansky said we will receive a sample of a local ordinance for the Natural River District Program in a few weeks.

IX Citizen Comments:

- A. Gary Koch said page 250 and 252 tell how to calculate parking space. It is simple math. He said we should take out of the Zoning Ordinance the 3rd party review idea and the Township doesn't know how to do it and we have no authority. It costs \$8000-9000. Washtenaw County oversees it. Wasn't legal counsel already asked about auditorium/gymnasium? We need to follow the rules in the Zoning Ordinance and not our personal agenda. There is no reason to go to the ZBA as it is a church.
- B. Chris Fike said he is a Township resident since 1978 and is in charge of the church kitchen. It is a licensed kitchen and not a coffee shop. His wife is in charge of the shuttle and on a really good Sunday there may be 10 cars at the Dexter Mill so it is not a big deal.

X Informational Items: Paul Zalucha asked that items be submitted the first Wednesday of the month or it doesn't get on the agenda so we have time to review. We won't have the Planners comments but that is okay. Andrea said this will be our policy.

XII. Charles Estleman moved, 2nd by Erica Perry, to adjourn. Motion carried. The meeting adjourned at 10:58 pm.

NEXT MEETING DATE:

Regular Meeting, Wednesday, October 18, 2017 at 7:00 p.m.

Respectfully Submitted,

Eric Perry, Secretary

EP:mlz

copy to: J. Kingsley
B. Calleja

R. Raiford