

DRAFT

MINUTES OF THE PLANNING COMMISSION

The regular meeting of the Plainfield Charter Township Planning Commission was held at Township Hall on June 13, 2006.

Members present: Marie Kessler, Chair; Leora Godfrey, Vice Chair; Vic Matthews, Secretary; Gary Gerber, Robert Heindrichs and Ray Holland. Also present were Peter Elam, Assistant Planner and Dennis Cole from Prein & Newhof. Scott Corder was absent.

1. Approve Agenda

Chair Kessler called the meeting to order at 7:00 pm and introduced the agenda.

Commissioner Holland, supported by Commissioner Heindrichs, moved to approve the agenda as presented.

Motion carried unanimously.

2. Consent Agenda

- A.) Approve Minutes of April 11, 2006
- B.) Approve Minutes of April 25, 2006
- C.) Approve Minutes of May 9, 2006

Commissioner Heindrichs, supported by Commissioner Godfrey, moved to approve the Consent Agenda as presented subject to minor corrections in spelling and grammar in the minutes listed.

Motion carried unanimously.

3. **Patriot's Ridge, Public Hearing Rezone Request from R-1, to P.U.D. 849 Buth Drive, Sable Developing, Inc. Kelly Powell or Rick Pulaski**

Chair Kessler requested that Secretary Matthews read the application submitted by the applicant, Sable Developing, Inc., 11575 Edgerton, Rockford, Michigan 49341, for the project named Patriot's Ridge consisting of approximately 36 acres zoned R-1, Residential addressed as 849 Buth Drive NE, Comstock Park, Michigan 49321. The applicants are requesting a rezoning of the property to Planned Unit Development.

Chair Kessler recognized Mr. Kelly Powell owner and President of Sable Developing, Inc. He informed the Commissioners that he met with the neighborhood last week, Wednesday. He handed out fliers in the neighborhood to notify the residents that Sable Developing was the new owner and developer of the 36 acres of property. The local church was gracious and allowed him to use their meeting room. The residents had concerns and shared them.

He explained that the 37 acre site is zoned R-1, Residential and is located off Buth Drive, backing up to US 131 Expressway; the church is south of the parcel and there is vacant acreage to the north. He commented that everyone had heard the engineering comments, but he wanted to share his passion behind the project. He admitted the residents came to the meeting with great opposition

He explained that Sable is a young, up and coming company. He took some residents to see some of the properties he had developed and they came back with a better understanding of his current work and the residents told him that the project they saw, they would like to see in their neighborhood. The proposed project on paper does not do it justice. The proposed project will have high property values and be a nice neighborhood. The proposed project consists of about 37 acres, and will be built on an old apple orchard. The apple trees have been cleared and recycled into firewood which has already been contracted with restaurants and others who use the wood.

We designed the usual R-1 plan and came up with 94 units. Then we designed a preferred layout, creating an open, neighborly atmosphere making the park the center location. We believe in the park system. People are nervous about small pocket parks because of security, but one large centrally located park where all the kids go is preferred. One big concern of the residents who attended the meeting was the traffic on Buth Drive. There is not much he could do about that. If 93 homes were built there would be that much additional traffic, but they were willing to help. In the Bylaws of the Association it states that there will be a trash hauling company and a lawn service coming one day a week to service the development, which is a minor amenity but does reduce traffic.

Lot sizes were the second biggest concern, but he believed it was value of the home and amenities more than actual size of the lot. The residents did not want to see chintzy, small, cheap, cracker-box neighborhood.

He explained that there was no character in the conventional R-1 plan. To be successful today you have to be 10 times better than any other developer to sell your product. There are 10 homes for every one buyer. If the proposed development isn't that much better, he would not be able to sell it. Pure and simple fact is there are a lot of lots and homes out there right now. He emphasized that Sable builds well-built, well-designed, thought-out developments. He wanted the Planning Commission to see Sable's project named Rosewood. It has smaller lots than what is being proposed for Patriot's Ridge and the homes range in the \$500,000 category. People like the concept. They like the neighborhood feel, and the maintenance free living.

Additionally, there were a lot of people who did not understand the R-1 zoning that this property already has. The residents were not aware that the Master Plan for the Township allows a density of about 3 to 4 units per acre which could result in up to 12 units on the site without rezoning.

He concluded his remarks by stating that he was to creating a more desirable product through the P.U.D. process. They were not asking for a vote during the meeting and had promised the neighborhood that they would hold an additional private meeting prior to the last presentation to the Planning Commission.

Chair Kessler recognized Mr. Peter Elam who explained that the public hearing was essentially an opportunity for the Planning Commissioners to digest the comments from the public. He reiterated that the developer was asking for smaller lots using the P.U.D. process, however those smaller lots were roughly the same number of lots he would get if a straight R-1 zone were platted. He asked that the Commissioners think about the project in terms of what the R-1 zone provided versus the amenities proposed in the P.U.D. zoned layout.

Chair Kessler opened the public hearing and recognized Mr. Martin Buth who resides at 1055 Forest Hills SE, Grand Rapids, Michigan. Mr. Buth brought pictures of the area taking the Commissioners and audience down memory lane showing pictures of cows, milking parlors and even youthful pictures of President Jerry Ford. The property in question was once part of the Buth Family Farm.

He shared that he was at the meeting to raise questions and to object to the project being discussed because it was not like the development that he had done in the surrounding area for the last 30 to 40 years. The adjoining areas are all rural in feeling and have R-1, Residential zoning. The proposed plan does not fit with the community that already exists. He said he wanted to see the property developed. It is zoned R-1 and it can be developed with R-1 lots. He emphasized the pictures of the existing plats with their front, side and rear yard setbacks and wide streets.

Mr. Buth shared that Mr. Powell had invited him to see a Sable project developing off 10 Mile Road east of Rockford in Cannon Township. See the spacing between the buildings, the ponds, the cul-de-sacs and the very impressive waterfall entrance. Mr. Buth surmised that the homes in that plat were in the category of \$450,000 to \$500,000 and Mr. Powell corrected him and shared that they were closer to the \$600,000 figure. It was Mr. Buth's understanding that the homes in Plainfield Township would be on the market for about \$150,000.

Mr. Buth shared that the proposed traffic could be handled on the existing roadway, but the increased volume on Buth constructed 50 years ago and only re-blacktopped once in that time frame would eventually lead to a maintenance problem that the Township would have to solve and pay for. Mr. Buth did not like the idea of the park, he thought it would be dangerous and become an attractive nuisance for motorcyclists and miscreants. He wondered if the park would have tennis courts, a swimming pool, playground equipment and fencing. Also, if there was an accident at the park, who would be liable?

Mr. Buth summed up his remarks by stating that the proposed project just did not fit into the existing neighborhood.

Ms. Kathy Shafer, 5725 Pine Island, has lived in the neighborhood for 45 years and her home is located on the corner of Pine Island and Buth Drive. She concurred with Mr. Buth that the proposed project did not fit with the existing neighborhoods. She brought up the number of vehicle accidents that had occurred at the intersection of Buth Drive and Pine Island Drive. The stop sign is often missed and vehicles have crashed into her wood shed, the fruit stand and the apple trees. Additionally, she has counted 14 different school buses using Pine Island between 1:00p.m. and 3:00p.m. daily. She asked if anyone knew what happened with the rumor that Buth Drive would receive an on/off ramp from US 131 some 20 years ago.

Cathy Shafer was very excited and anxious and definitely did not want to see the proposed project built. She was unhappy with some of the housing built on 17 Mile Road by Sable Developing. She was very uncomplimentary of the developers building practices. She suggested that the Commissioners check out his work south of 17 Mile Road, and suggested that the developer not build in the Township. She also frequently and with great zest and fervor addressed the Chair as "hon." It was remarkable.

Mr. Dennis Whittington, 1145 Buth Drive, stated that he was in total agreement with Mr. Buth. The proposed development was not suitable for the community or the existing neighborhood. He stated that the purposes of the Plainfield Township Zoning Ordinances are to promote and protect public health and safety and general welfare of its citizens. The ordinance is to protect the character and stability of various areas within the Township and promote the orderly and beneficial development of such areas. The ordinance is supposed to regulate the intensity of the land use and determine the areas of open space surrounding and lessen and avoid congestion on highways and streets. He continued, Buth Drive is already an extremely busy road for the residents who live there, and it is used as a cut-through from Pine Island Drive and West River Road by the general population.

Mr. Jay Seim, 5491 Skyway Drive, shared that he has been living in the area for about 4 years. He grew up in Detroit, Michigan in a similar neighborhood that is being proposed. The homes were all cookie cutter houses, bungalows with smaller lots up close to the front property line. Yes, in some ways the neighbors were close knit, but in other ways, it was loud, it was crowded and now we don't go back. Why do we need to glut the market with more unsold houses? He understood that it would be developed at some point and was glad that the developer was willing to work with the neighbors and the Township. He preferred to see something similar to what is already in the neighborhood. He wanted to keep the country feel as much as possible; have dark skies where the stars can still be seen, reduced light pollution. He questioned that kids make friends and travel between neighborhoods, so where were the sidewalks. He also asked if the speed limits be lowered on Buth, Pine Island Dr and West River Road? He wondered if the Kent County Road Commission could help with the traffic and safety issues for the kids?

Ms. Colleen Tollen, 5631 Skyway, stated that it seemed simple to her. It is about respect. The proposed development does not fit into the neighborhoods that are exist today. All the surrounding neighborhood residents treat each other with respect and kindness. She stressed that if the developer had foresight and wisdom to look further ahead into the next few years, the addition of this project would change the neighborhood irreparably. She had lived in Chicago, Illinois and the track housing neighborhoods did not last well in Chicago. They are very crowded and she felt the proposed project was very similar. These types of homes are disrespectful to the existing neighbors. The property values will go down if the project is approved and the neighborhood will never be the same. She asked that the Commissioners look further down the road than the immediate future.

Mr. Seven Story, 5643 Skyway, in his review of zoning maps and details available, he found the Planning Commission had been consistent over the years. His concern was that the proposed development did not meet the criteria that the existing neighborhoods did. Why move to the country to live on postage stamp size city lots? If the developer wants to develop the property, let him do so with larger lots and charge more money for them. He did not want to see the Planning Commission create an exception to the effort put forth over past years.

Chair Kessler reminded all that the developer has a right to develop the property using the R-1 zone. He has a right and could put 94 rooftops on the property. He is asking to build 92 homes on the same site.

Mr. Dave Dombrowski, 5590 Skyway, stated that he being a realtor was not opposed to development. He was concerned about environmental issues such as arsenic being in the soil because of the use of insecticides for the apple orchard. Had the soil been tested? Chair Kessler interrupted and explained that the issue before the Commissioners was whether or not to rezone the property. She stressed that the Commissioners were very much interested in hearing about how the neighbors felt about the requested rezoning of the property.

Mr. Dombrowski addressed the Commissioners explaining that in order to allow the developer a variance from the R-1 zone to a P.U.D. the developer needed to demonstrate to the Township that there had been created an unnecessary hardship. He stated that the developer was asking for about an 80% reduction in lots size as a variance from the R-1 zoning setbacks. He preferred to see the site developed as a straight R-1 Zone with no variances. He also questioned the amount of money the homes would be sold for. At the special meeting held by the developer, the developer had quoted the market price at \$180,000 to \$250,000. Is he going to put large homes on small lots? There would probably

be a tax increase for the entire township just to build new schools for the children that would live in the proposed area.

Mr. Bob TenBrock, 1038 Buth, owns 11 acres across the street from the potential development. He stated that the area is rural and the proposed development is totally out of character. If it has to be developed, he would prefer it stayed R-1 zoned.

Mr. George Marczewski, 1111 Buth, owns three acres and has lived in the area for 10 years. He liked the developer but does not like his plan. The homes are packed on top of each other, too much traffic for the existing roads, and very concerned about property values. He stated that growth is not the thing that will make a community a great place to live. Lack of growth makes it even better. Show case what we have, make it worth more by not allowing more in. He was also concerned that the developer would be starting a second business by offering trash removal and lawn service. He referred the project to a "cash cow". He asked that the Planning Commission allow the Township to become saturated to the point of being like Detroit, Michigan where everyone is moving away from. He asked, "let us make what we have special; put a good price on it and make sure it is worth living here. Stop this insanity!"

Mr. Dade Wolters, 5935 English, owns seven acres. He brought up the fact that Mr. Dykema owns 27 acres nearby. That acreage will be sand mined and if this project is approved, it will set a precedence allowing Mr. Dykema to ask for similar housing. He was concerned that English Avenue would become heavily traveled and congested. Additionally, he has a pond on his property and was concerned about his liability insurance fees increasing due to trespassers. He has paid taxes in the area for 27 years and is certain his property will be devalued if the proposed project is approved. He asked that the Planning Commission keep the rural development plan.

Mr. Don Vanderzwaag, 5530 Skyway, stated that he moved to the area in 1973 and the adjoining neighborhoods are a community Skyway Drive, Buthview, English, Skyhill Drive and Skyhill Court. He requested that if the developer were to have another meeting that the entire area, all the residents living in the area be informed of the meeting not just those adjacent to the property within 500 feet. There would probably be 200 people show up for the meeting instead of the 40 people here tonight.

Mr. James Imhoff, 1050 Buth, asked about the previous remarks about the developer requesting a variance. Mr. Elam explained that there was a misconception. The developer is not asking for a variance, he is requesting a zoning change from R-1 to a P.U.D. A variance is specific to each individual piece of property. The zoning of the property is about the use of the property. The developer is asking the Township if they would like to have a park, trails, open space, landscaping, amenities or did they want to see a straight plat similar to what you see everywhere in Kent County?

Mr. Allan Brown, 1100 Buth, asked if it were too late for the Township to change the zoning to R-2. Mr. Elam explained that would increase the density, not decrease it. The R-2 zone is basically for duplex style housing.

Mr. Martin Buth was recognized again to make one comparison. He shared that the R-1 zone is required to have 11,700 square feet in each lot. The proposal is asking for 8,400 square feet in each lot. The Township would have lots that are 37% larger if the R-1 zone is used versus the proposal.

Ms. Lois Sebring, 5640 Skyway, was very concerned about the size of the lots and did not like the idea of only a 7-foot sideyard setback or the short depth of the back yards. There was not enough clearance between the homes to prevent fire from spreading.

Chair Kessler explained that the issue is should the property be R-1 developed or P.U.D. developed where the Township has some control. With the P.U.D. an Association will be setup to control maintenance issues, quality of housing, trash pickup, landscaping and maintenance of the open space. Every resident living in Patriot's Ridge would be in the Association and have a vote in maintaining the community. The residents would be responsible for the way their development looks and have a mechanism in place to achieve their goals. If the property is developed as a straight R-1 Plat, and unless there are extremely strong covenants which the Township does not have the ordinances to require. As a result, the maintenance issues are left up to the individual property owner. What happens if you get one neighbor who does not want to follow the rules and you can not enforce the rules without someone taking that neighbor to court? She asked the audience if they understood the difference of having an Association versus a typical plat?

Mr. Howard Friar, 5550 Skyway, has lived in the Township for 43 years and before that in Grand Rapids on Lane Street where he could reach out his hand 4-feet and shake his neighbors hand, on the other side of the property was 8-feet because of a joint driveway. He got out of there as quick as possible. Distance makes a lot of difference.

He asked that the R-1 representation and the P.U.D. be placed beside each other on the Boardroom screen. He pointed out several features on both and pointed out the many things missing that most R-1 plats do have but this particular R-1 seem to lack. He suggested that the illustrated R-1 design was a poor design and should not be used as a true comparison of what could be built. He asked about recreational vehicle storage, things such as motor-homes, trailers and boats. Those items would not be allowed in the P.U.D. zoned property as they must be kept behind the leading edge of the home. If the R-1 is developed, recreational vehicles can be kept behind the leading edge of the homes. Mr. Friar was convinced that the recreational vehicles posed more of a traffic problem than the conventional car and that was one advantage to the proposed development.

Mr. Brad Christian, 6110 English, was extremely upset and frustrated about the proposed project. He had not received notification about the private meeting and only received the public hearing notice a week ago. He was in complete opposition to the plans presented and asked, "is this the choice we have, the two plans provided? Is this the only choice we have?" The proposed project will definitely devalue the properties surrounding it. Chair Kessler explained again that the owner of the property can develop their property anyway they want pursuant to the zoning that is already in place. We are here tonight for a rezone request and that is why we are listening to what people have to say. Mr. Christian repeated his earlier question. (It is true that he has the choice to do the other plan submitted if we don't approve the rezone request?) Chair Kessler replied, yes, with tweaking. Mr. Christian felt cheated and stated "that he was ashamed and that you are absolutely ruining our community."

Mr. Christian's statements were followed by several angry, frustrated and disrespectful comments from the audience.

Chair Kessler closed the public hearing and returned discussion to Dennis Cole from Prein & Newhof, the Township engineer.

Mr. Cole apologized for being late and missing some of the fireworks. He shared information regarding the route of the sanitary sewer that would serve the site. Currently, sanitary sewer exists within the Northbrook Plat east of the property less than one-half a mile away. The Township's Master Plan for sanitary sewer shows the sewer being constructed through property owned by Mr. Dykema over to English Avenue and then accessing the proposed site at the northeast corner of the proposed site. The plan agreed upon 10 years ago for this area to have gravity flow sanitary sewer depends on Mr. Dykema allowing easements through his property. The viability of this particular project and its ability to be served with sanitary sewer depends entirely on working out something with Mr. Dykema.

Chair Kessler recognized Commissioner Heindrichs who stated that the density being proposed for the P.U.D. is no different from the R-1, a point that has been made very clear. The property has been zoned R-1 for many years. The manor and design presented is different. The traffic, since the density is the same, essentially is not really a factor. The property can be rezoned or it can be developed as an R-1 with the same number of units, same number of cars. The hardship that someone mentioned has nothing to do with the rezone to a P.U.D.

Planned Unit Development is a different type of proposal, and it is up to the Planning Commission and Township Board whether or not they want to work with the P.U.D. process. The one thing the P.U.D. does offer the surrounding area is greater control over what will go into the P.U.D. Within the R-1 zone a developer can do anything within that zone as long as the minimum requirements are met, such things as taking out all the trees, massive grading, etc.

Commissioner Heindrichs continued there is a trend throughout the country for housing similar to the plan before the Commission. We are seeing it more and more in Planning Seminars from experts throughout the county, the smaller lots with parks, open areas, and amenities are becoming more and more common. There are reasons for that rightly or wrongly. Whether it sells or not will be the ultimate judge. It is coming, we have already proposed one project and the townships around us have proposed similar where the density is no more than the R-1 but done in a different manner, a different design. This style of development is a new way, something we are not use to, something we will likely continue to see more and more of. One reason the movement is taking place is that a park provides a place for communication. The kids, the families, the picnics, there is a central area where they can go and play and meet. The homes have front porches rather than back decks. Everyone knows each other because they are sitting out front.

Commissioner Matthews thanked the residents for taking the time and effort that had been put forward into looking at the proposed project. He assured the audience that the Commissioners take all the comments to heart and make note of them, and consider them during the decision making process.

Commissioner Holland extended his appreciation for the informative input. The information provided will help evaluate the situation. He admitted that he struggles with lot size himself, but Mr. Powell offered the park and the buffers along the expressway, buffers along Buth Drive. (As vehicles travel down Buth Drive they will not see the backyards of housing, they will see berms, trees and landscaping.) With an R-1, often times, the back yards are in full site with no buffering. The density is about the same, the lots become smaller with the P.U.D.; we weigh these things and decide if we want to make the trade off or not.

Commissioner Godfrey explained that a big issue for us in this situation is an issue of control. The developer is allowed to construct the 94 homes. If we do it as a P.U.D. however, we have control over what goes into the P.U.D. We can say yes you can do that, or no you can't do that. If we leave it as R-1 and he goes ahead and puts in his development, we really do not have very much to say about it. Personally, I would rather oversee that development rather than just let it happen.

Commissioner Gerber admitted that the first time he saw the plan his response was the plan was too dense for the neighborhood. Through the education process, as I am sure a lot of you have learned tonight, he is asking for similar to the R-1 zoning. Basically, he is asking us if we want a park and buffering. He gets a similar number of units either way. There is more control with the proposed P.U.D. He heard a lot of the residents say they wanted to see lots the same size as those in the neighborhood currently with \$500,000 homes. He reminded the audience that the property backs up to US131 and large lots overlooking the freeway and expensive homes would probably not sell. The buyer will not pay the money for a lot overlooking the freeway. Another thing is the country is going through a change in energy costs, jobs being lost in this state and he was not sure that everyone could afford the type of homes that the surrounding neighborhood enjoys. There is a need to provide housing for people who do not make similar wages; versatility in housing is needed.

Chair Kessler stated that all the Commissioners have homes in the community. Further, there has been no attempt to keep anything from anyone. Zoning information is available to everyone. You can come down and ask for help from the Community Development Department. There has been no attempt at subterfuge here. We have a piece of property that is by the freeway. We have a piece of property that can be developed in such a way that it can be an asset to the community instead of a possible replicated, cookie cutter, situation and as Mrs. Godfrey pointed out we have the ability to control how that property will look under certain zoning and that is the P.U.D. and that is what the rezoning request is for tonight. I agree with her, I agree that we need the ability to keep green space in our community and that is what the P.U.D. plan does. We have seen provisions in this plan for two parks, we have seen the property used along side the freeway put to good use. I hear some talk about stewardship. We are the stewards of the land, we have to take care of it with the idea that it has to benefit the community and the individual and that is what we are doing. We come in here the second and fourth Tuesday of every month and you are welcome to attend our meetings. The work does not stop after the regular meetings are held and everyone goes home; we all attend workshops and seminars. We work hard at our jobs.

Chair Kessler recognized Mr. Powell for rebuttal and answers to some of the questions that had been raised. He pointed to the Future Land Use Map that determines density and other things within neighborhoods and stated that the Township does not take it lightly. The Planning Commission spends a lot of time, a lot of meetings with the citizens to control urban sprawl, to place density where utilities can be reached. There are zones for three acres, and all this information is available. He stated that all he was trying to do was provide an alternative route to achieve R-1 zoning in that particular area. One of the first comments was that this was farmland. The zoning was changed from agricultural a long time ago because no one farms the parcel anymore. The run of the mill housing is not acceptable in the today's housing market, developers must think forward outside of the box to succeed. As far as putting a price on the project, he preferred to be low and get a larger market price once the project begins to take shape. The homes that are selling in the Cascade area were proposed at \$200,000 and are actually selling for \$600,000. His marketing research and focus groups show a much higher value in a community atmosphere, with smaller lots than there is in the traditional R-1 development. There is nothing wrong with the R-1 development. He preferred to build a different product and not go head to head with the other guys. It gave him a little more opportunity to be more creative, by designing a park and an atmosphere not offered in other developments. The buffer zone is still there in the R-1 plan. Those features can be added in, but economically, the value of this development will be much higher than the traditional R-1 neighborhood. The applicant was willing to go with maintenance no or limited exterior storage.

Sidewalks, some of the neighbors were opposed to having sidewalks across the frontage. They do not want to see it connected down stream in front of their yards. That is an issue the neighbors will have to discuss with the Township. We are in favor of connectivity that is what creates atmosphere and creates people wanting to live there. Kids from all neighborhoods will be playing in the park. I do believe that the other neighborhoods will eventually connect up to this because it will be a very nice development.

Someone asked about testing the soil for arsenic. Yes, we have done due diligence before we purchased the property. There is no arsenic.

Does it fit the neighborhood? No, it does not and he would not argue that it did. It is the next generation of development. I believe from everything I have seen, all the focus groups and seminars held, this is what is coming. People want to have the community atmosphere, open space with less yard area to maintain. There are developments around for those who want the larger yards. There is a place for them, mentioned the homes in Detroit, and Chicago, technology has gotten much better since most of those homes were built many years ago. We are not

trying to stack more homes in a small space. We want to do a better, broader type development. With this he has an advantage, he can market atmosphere, and community, the design is not just price driven. I have amenities beyond what someone else may be marketing. The R-1 must compete head to head and the only option is price difference. Snow removal and lawn maintenance are definitely options that will be looked at through the P.U.D. process. Maintenance free living is very appealing in our other communities and also creates a higher value for the neighborhood.

Commissioner Matthews, supported by Commissioner Godfrey, moved to table the request from Patriot's Ridge to rezone the property addressed as 849 Buth from R-1, Residential to Planned Unit Development.

Motion carried unanimously.

4. Miscellaneous

Chair Kessler announced that the developer and engineer from the recently approved River Bluffs P.U.D. wished to present an informal presentation to amend their existing P.U.D. Chair Kessler recognized Mr. Dough Stalsonburg.

Mr. Stalsonburg explained that he was the engineer for the River Bluffs P.U.D. and was working with the developer, Paul Renucci. He explained that they were not looking for a formal approval, but wanted to make sure that the new items were headed in the right direction before returning to the Planning Commission for a formal approval on June 27th.

The proposed amendment request came about because of collection of final topographical information in the engineering phase. Mr. Stalsonburg continued to explain the requested changes as follows:

Requested Change No. 1:

As you might remember, the developer struggled with the lots overlooking the power lines. They were smaller, near the river, but overlooked the power lines. After further consideration, it was determined that lots 8, 9 and 10 should be eliminated along the river. What was lot 8 and lot 9 would be converted to open space with the possibility of some amenities. The elimination of lot 10 would allow for larger lots on the north side of the cul-de-sac to increase from 100 to 110 ft. minimums. This area is truly open space as there are no trees in this area. The eliminated three lots would be picked up on the south end of the project. However, the total number of lots for the entire project would remain at 63.

Additionally, we are proposing an easement (50 feet in width) to allow access to the river. A portion of lot 14 would allow the River Bluff community (not the general public) a private access to carry small boats such as kayaks, canoes, etc down to the river. No paved road, just a walking trail. This is a significant change from the original plan.

Requested Change No. 2:

We learned recently that the Township has an ordinance that does not allow for shared driveways without special approval. After looking at the area closer, where the building sites will have significant long driveways, it makes no sense to build long driveways next to each other. Therefore, we believe the building sites for lots 20 & 21, 22 & 23, 24 & 25, 26 & 27 and 37 & 38 need share driveways to save trees, and minimize grading where long driveways are anticipated.

Requested Change No. 3:

Lot 20 has been revised to 30' of frontage on the private street instead of the previous 66 feet. The width gained has been added to lots 21-23 thus allowing the building sites to better fit the topography.

Requested Change No. 4

The second significant change is the street alignment south of the creek. It has been revised to a single cul-de-sac with a switchback. This design is proposed to minimize grading and provide better access to the lots. The design has been reviewed by Steve McKellar, Fire Department, and found to be acceptable. The approved roadway was not going to be allowed by Fire Chief Peterson as portions of the roadway would have exceeded the 10% street grade due to topography of the site. The roadway is in the exact location but by creating the switchback the 10% street grade can be maintained. It is in this area where the developer picked up the 3 lots that were eliminated on the north end of the property, lots 30, 31 and 32 these lots maintain between 120 and 150 ft in width.

Chair Kessler recognized Commissioner Matthews who led discussion in regards to making sure that good maintenance agreements would be in place if the Township Board approved the use of the shared driveways. Mr. Chris Ortwein assured the Commissioners that a maintenance agreement could be created to cover the shared driveways. The template agreement used for this project, Hamilton Woods, is working very well.

Commissioner Heindrichs had no problem with the overall requested changes in the P.U.D. He did not particularly like the flag lot but it was offset by other desired changes.

Chair Kessler was pleased that the developer was working around and trying to keep as many trees as possible. The site definitely has topography issues.

The Commissioners were looking forward to Mr. Stalsonburg returning to them with the formal proposal to amend the existing P.U.D.

Chair Kessler recognized Commissioner Matthews on another subject. He led discussion in regard to term limits for the Planning Commission and the Zoning Board of Appeals. Were changes needed?

Adjourned at 10:00 p.m.

Jackie Wiltzer Date
Recording Secretary

Vic Matthews Date
Planning Commission Secretary