

**NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
Minutes of Regular Meeting
October 19, 2020**

1. CALL TO ORDER

The meeting was called to order by chair Kenneth Dignan at 7:30 P.M. at via tele-conference. Dignan noted technical difficulties prevented the meeting from being started on time.

2. PLEDGE OF ALLEGIANCE

**3. ROLL CALL
AND DETERMINATION OF QUORUM**

Brad Cousino	Present
Kenneth Dignan	Present
Scott Gustafson	Present
Greg Kolecki	Present
Jacki Otto	Present
Alternate: James Balsillie	Presence not required

Also present:
Planning Consultant Vidya Krishnan
Members of the public

4. ADOPT AGENDA

- **Motion:** Otto moved, Dignan supported, that the agenda be adopted as presented.
Motion carried 5—0 on a voice vote.

5. CORRESPONDENCE

None.

6. PUBLIC HEARINGS

**6A. Case #JZBA200004; TerraFirma;
Location: 6410 Whitmore Lake Road;
Request for variance to construct a gravel
parking lot when the Ordinance requires an
asphalt or concrete paved parking area;
Parcels 02-29-200-003 & -004; zoned LI**

- **Motion:** Dignan moved, supported, that the public hearing be opened.
Motion carried 5—0 on a voice vote.

Township Planner Vidya Krishnan reviewed her report of October 8, 2020, explaining that the reason for this request is to avoid the cost of installing asphalt surfacing over a utility easement which will be excavated soon and can be excavated whenever the utility chooses. She noted the Township engineer has no objection to the proposal.

Krishnan's comments included:

- Approval of the variance will provide substantial justice to the applicant, is not adverse to the interest of other property owners, and granting of the variance is not setting a precedent as similar exemptions have been granted for other sites.
- The parcel is constrained by the location of a major utility easement across it, which is a limitation faced by other properties through which the same utility easement traverses.
- The need for the variance was not created by the applicant.
- The proposed variance is not likely to have any adverse impact on the neighborhood or on public safety.

James Korf, appearing for applicant Eric Patterson, said Krishnan explained the situation well. He said the utility company excavated the site in 2019 and they indicated the site will probably have to be excavated again next year. He noted there will be asphalt paving in front of the office, and the gravel parking area will be shielded from the view of the public.

Dignan noted no members of the public were present.

- **Motion:** Dignan moved, Kolecki supported, that the public hearing be closed.
Motion carried 5—0 on a voice vote.

7. OLD BUSINESS

None.

8. NEW BUSINESS

**8A. Case #JZBA200004; TerraFirma;
Location: 6410 Whitmore Lake Road;
Request for variance to construct a gravel
parking lot when the Ordinance requires an
asphalt or concrete paved parking area;
Parcels 02-29-200-003 & -004; zoned LI**

- **Motion:** Dignan moved, Otto supported, to approve the requested variance in Case #JZBA200004 based on the findings of fact documented in the October 8, 2020, letter from the principal planner, Vidya Krishnan.

In answer to a question, Krishnan said this proposal has not been before the ZBA previously. Dignan noted there had been discussion with the applicant last year about whether a variance should be requested.

Motion carried 5—0 on a roll call vote.

9. UNFINISHED BUSINESS

None.

10. MINUTES

Otto corrected an address.

- ▶ **Motion:** Dignan moved, Cousino supported, that the minutes of the September 21, 2020, regular meeting be approved as amended.
Motion carried 5—0 on a voice vote.

11. CALL TO THE PUBLIC

None present.

12. ZBA MEMBER COMMENTS

Otto questioned whether the zoning ordinance should be amended to eliminate the need for applications to wave paving requirements in situations similar to TerraFirma's. Cousino said in that case the utility easement covers a large portion of the site, which is unusual.

Dignan noted the Planning Commission has waived paving requirements in similar situations, including for the non-profit People's Express and for the Township's Community Center. He said in light of that it would be

appropriate for the ZBA to suggest that the Planning Commission more clearly define when the Commission can waive paving requirements or change the requirements. He said he feels TerraFirma, a private company, had a better case that existed in either of the cases.

Krishnan said the zoning ordinance allows the Planning Commission to waive paving requirements only in the AG district, and she recommended that that restriction be removed to allow the Commission to have discretion in situations such as TerraFirma's.

Board members urged the public to vote in the November 3rd general election.

13. ANNOUNCEMENT OF NEXT MEETING

November 16, 2020, at 7:00 PM at the Public Safety Building or via-teleconference was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

14. ADJOURNMENT

- ▶ **Motion:** Dignan moved, Otto supported, that the meeting be adjourned.
Motion carried 5—0 on a voice vote.

The meeting was adjourned at 7:57 P.M.

Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:
Wording removed is ~~stricken through~~;
Wording added is underlined.

Adopted on _____, 2020.

Kenneth Dignan, Chair

Greg Kolecki, Secretary

Official minutes of all meetings are available on the Township's website at http://www.twp-northfield.org/government/zoning_board_of_appeals/