

**NORTHFIELD TOWNSHIP PLANNING COMMISSION  
NOTICE OF REGULAR MEETING  
February 18, 2015 at 7:00 p.m.  
Second Floor, Public Safety Building  
8350 Main Street, Whitmore Lake, MI 48189**

**AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. CALL TO THE PUBLIC**
- 6. CORRESPONDENCE**
- 7. REPORTS**
  - A. Board of Trustees Report**
  - B. ZBA**
  - C. Staff Report**
  - D. Planning Consultant Report**
- 8. PUBLIC HEARINGS**
  - A. JPC#150001** – The Northfield Township Library is requesting a conditional use permit to allow an expansion of library facilities within the WLD-D, Whitmore Lake District Downtown, pursuant to Section 30.04 of the Northfield Township Zoning Ordinance. The conditional use, if approved, would allow an expansion to the existing library (public building) at this location. The subject property is located at 125 Barker Road, Parcel Number B-02-06-401-009.
- 9. OLD BUSINESS**
- 10. NEW BUSINESS**
  - A. JPC#150001** – Postpone, deny, or recommend to the Board of Trustees the approval of the conditional use application to allow an expansion of the Northfield Township library facilities within the WLD-D, Whitmore Lake District Downtown, pursuant to Section 30.04 of the Northfield Township Zoning Ordinance. The conditional use, if approved, would allow an expansion to the existing library (public building) at this location. The subject property is located at 125 Barker Road, Parcel Number B-02-06-401-009.
  - B. JPC#150001** – Postpone, deny, or approve the site plan to allow an expansion of the Northfield Township library facilities within the WLD-D, Whitmore Lake District Downtown, pursuant to Section 30.04 of the Northfield Township Zoning Ordinance. The subject property is located at 125 Barker Road, Parcel Number B-02-06-401-009.
  - A. Discussion of priorities and projects for the year**
  - B. Planning Commission Annual Report**
- 11. MINUTES:** February 4, 2015 Regular Meeting
- 12. POLICY REVIEW AND DISCUSSION**
- 13. CALL TO THE PUBLIC**
- 14. COMMENTS FROM THE COMMISSIONERS**
- 15. ANNOUNCEMENT:** Next Regular Meeting – March 4, 2015
- 16. ADJOURNMENT**

This notice is posted in compliance with PA 267 Of 1976 as amended (open meetings act) MCLA 41.7 2A (2) (3) and the Americans with Disabilities Act. (ADA) Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Office, (734) 449-5000 seven days in advance.



CARLISLE

WORTMAN  
associates, inc.

605 S. Main Street, Ste. 1  
Ann Arbor, MI 48104

(734) 662-2200  
(734) 662-1935 Fax

Date: January 27, 2015

## Conditional Use and Site Plan Review For Northfield Township, Michigan

<b>Applicant:</b>	Northfield Township Library
<b>Project Name:</b>	Northfield Library Expansion
<b>Plan Date:</b>	December 19, 2014
<b>Location:</b>	125 Baker Road (02-06-401-009)
<b>Zoning:</b>	WL-DD, Whitmore Lake Downtown
<b>Action Requested:</b>	Due to the relatively simple nature of this request, we've combined our review of both Conditional Use and Site Plan Approval.
<b>Required Information:</b>	Owner information for southern abutting parcel has been excluded from the site plans as provided. Only the first page of the site plan drawings has been signed and sealed by a registered professional as required. Other deficiencies are noted in the sections below.

### PROJECT AND SITE DESCRIPTION

The applicant proposes to construct a 2,166 square foot building addition to the west (rear) side existing library structure located at 125 Baker Road. The subject property was rezoned from GC, General Commercial to WL-DD, Whitmore Lake – Downtown in 2012 in part to accommodate the future library expansion.

Public buildings are listed as a conditional use in the WL-DD district.

**Items to be Addressed:** 1) Provide owner information for parcel to the south of the subject site.  
2) Sign and seal all pages of site plan.

**Figure 1, - Aerial Photograph**



**CONDITIONAL USE CONSIDERATIONS**

**NEIGHBORING ZONING AND LAND USE**

**North:** Zoning of the land north of the subject properties is WLD-DD, Whitmore Lake District-Downtown and WLD-NV, Whitmore Lake District-North Village. However, the properties north of the library parcel fronting Barker Road are existing residential structures excepting the parcel immediately east of the railroad tracks which is a commercial shopping center building.

- South:** South of the subject parcel, the properties are zoned SR2, Single-Family Residential and contain existing single-family structures.
- East:** East of the library parcel at the southeast corner of Barker Road and West Street is zoned GC, General Commercial and contains an existing commercial building.
- West:** Immediately west of the subject parcels is the Ann Arbor railroad. To the west of the railroad, the GC zoning continues along the barker Road frontage, while the SR2 zoning district also continues south of the Barker Road frontage.

**Items to be Addressed:** None.

**MASTER PLAN**

The Northfield Township Master Plan identifies the subject parcel and the surrounding area as VC, Village Center. The intent of the VC future land use classification is to *encourage and permit mixed uses with a village scale and character within the Whitmore Lake community.*

Neighboring zoning, land use, and current master plan designation is summarized in the following chart:

	North	South	East	West
<b>Zoning</b>	WLD-DD, Whitmore Lake District-Downtown and WLD-NV, Whitmore Lake District-North Village	SR2, Single-Family Residential	GC, General Commercial + SR2, Single-Family Residential	GC, General Commercial + SR2, Single-Family Residential
<b>Land Use</b>	Single-Family Residential + Shopping Center	Single-Family Residential	Commercial + Single-Family Residential	Commercial + Single-Family Residential
<b>Master Plan</b>	Village Center	Village Center	Village Center	Village Center

We believe the proposed expansion of the library meets the intent of the Master Plan in keeping with the Village Center concept.

**Items to be Addressed:** None.

**NATURAL RESOURCES**

The site is currently developed and contains no significant natural features. The applicant has identified the type and location of all trees 4 inches or greater in diameter in addition to areas of shrubs and smaller trees along property lines on the attached property survey. Four (4)

trees are noted to be removed in the southwest portion of the site where the proposed retention and rain garden areas are proposed.

***Items to be Addressed: None.***

## **TRAFFIC IMPACT**

Traffic impact of the proposed library expansion will be minimal. Based upon the Transportation and Land Development Standards provided by the Institute of Traffic Engineers, we find libraries generate approximately 58.4 weekday trip ends per employee. The number of library employees has not been provided.

We note the increased traffic for the library expansion will be minimal within this existing commercial area of the Township.

***Items to be Addressed: None.***

## **ESSENTIAL FACILITIES AND SERVICES**

The library building is already serviced with sanitary and storm sewer facilities. The site plan demonstrates significant modifications to the site's drainage with the addition of rain gardens and a retention basin in the southwest corner of the site. From a previous review of the site (for rezoning), we noted two (2) existing wells are also located on the property. However, a utility plan demonstrating existing and proposed sanitary and well locations has not been provided.

Further, review of the proposed stormwater management modifications will require review by the Township Engineer during the detailed engineering stage after site plan approval.

***Items to be Addressed: 1) Demonstrate location of existing wells and sanitary sewer. 2) Township Engineer review of utilities and stormwater management during detailed engineering review.***

## **CONDITIONAL USE STANDARDS**

Article 63 outlines the procedures and requirements for the review of conditional use applications. Specifically, the Planning Commission *shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and with respect to any additional standards set forth in Article 60 and shall find and record adequate data, information and evidence showing that such a use on the proposed site, lot or parcel:*

1. *Will be harmonious with and in accordance with the general objectives, intent and purposes of this Ordinance.*

The requested conditional land use is due to the applicant's request to expand the existing library at its current location. As noted above, the use is in compliance with the Northfield Township Master Plan, and is complimentary to the other existing uses in the vicinity. The subject property and much of the surrounding area is zoned for mixed and commercial uses. We find the proposed library expansion will continue to be harmonious with and in accordance with the general objectives, intent and purposes of the Ordinance as presented herein.

2. *Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.*

The proposed library building addition is proposed in the rear (east) portion of the site. The applicant should indicate whether the library's hours of operation will be extended with the proposed building expansion. Site layout appears adequate from the information provided. Additional review of site characteristics can be found in the following Site Plan Review section of this report.

Further, any changes in the library operations that might impact residents such as additional hours of operation, increase in programming, increase in the number of employees, etc. should be provided by the applicant for conditional use consideration.

3. *Will be compatible with the natural environment and existing and future land uses in the vicinity.*

No natural features will be impacted by the proposed uses. Further, the existing library use is compatible with the current and future land uses in the general vicinity.

4. *Will be compatible with the Northfield Township Land Use Development Plan.*

As noted previously, the expansion of the library use is compatible with the Northfield Township Master Plan.

5. *Will be serviced adequately by essential public facilities and services, such as highways, streets, police, and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed sue shall be able to provide adequately any such service.*

Review of all essential services and facilities will be undertaken during the detailed engineering phase of review.

6. *Will not be hazardous or disturbing to existing or future neighboring uses; and*

The proposed library expansion will not be hazardous or disturbing to existing or future neighboring uses.

7. *Will not create excessive additional requirements at public cost for public facilities and services.*

The library is currently serviced by sanitary sewer and a well. No additional costs will be incurred by the Township.

**Items to be Addressed:** *Provide any changes in operation that may impact neighbors due to the proposed expansion.*

**SITE PLAN REVIEW**

**AREA, WIDTH, HEIGHT, SETBACKS**

The dimensional requirements of the WL-DD district are noted below:

REQUIRED				PROPOSED	COMPLIANT
height	minimum	stories	2 stories	1-story addition	Existing structure is 2-stories
		feet	24 feet	--	--
	maximum	stories	3 stories	--	--
		feet	45 feet	--	--
ground floor minimum	feet	12 feet	12 feet	complies	
placement	front	required building line	10 feet. 75% of the building façade must meet the required building line, while up to 25% of the façade can be set back to allow for architectural consideration	--	Building addition is in the rear of the existing structure. This criterion does not apply.
		minimum setback	n/a	--	--
	side	minimum setback	n/a (building may be placed up to the property line, but is not required to be)	113 feet from south side yard.	Complies
	rear	minimum setback	30 feet	63 feet	Complies
lot	required open space		30 percent	Not provided	Unable to determine

	lot coverage by all buildings	n/a	11.1%	Complies
	access and circulation	Driveways may access the site from any side; pedestrian pathways must be provided from the right-of-way	Existing drive from West Road to be utilized. An internal pedestrian connection is shown from Baker Road.	Complies
	parking location	Parking shall be located in a side or rear yard.	Existing parking is located in front of the building (West Street)	Existing non-conformity

The proposed development is an addition to an existing structure, which is non-conforming when considering certain aspects of the newly adopted Whitmore Lake Overlay District development standards. The application should provide dimensions related to the building addition height, and amount of open space (area and percentage of lot).

**Items to be Addressed:** *Provide area and percentage of open space.*

**BUILDING LOCATION AND SITE ARRANGEMENT**

As noted above, the proposed building addition location is acceptable and meets ordinance standards. The proposed location of the addition appears logical in relation to the rest of the site.

**Items to be Addressed:** *None.*

**PARKING, LOADING**

The library is required to provide one (1) parking space for each five hundred (500) square feet of floor area. The total building area (with the proposed addition) accounts for 5,272 square feet of floor area requiring 11 parking spaces. As presented, the current parking lot provides for eighteen (18) parking spaces, two (2) of which are barrier-free.

We note the Site Data Table on Sheet 3 indicates 17 parking spaces are provided. The applicant should verify parking count.

A loading area has not been provided. The applicant should provide a note indicating how/when deliveries will be handled.

**Items to be Addressed:** *1) Correct parking calculation. 2) Provide information related to type and frequency of delivery vehicles.*

## SITE ACCESS AND CIRCULATION

Site access and circulation are not proposed to be modified as part of the building addition site plan. We note the parking access aisle as-built allows for 16.39 feet of aisle maneuverability. Section 61.02 B. 12 a. requires an aisle width of 22 feet. We understand this is an existing non-conforming situation; however, as a part of this review the lane width should be widened to 22 feet. There is ample area on-site to accommodate this modification.

**Items to be Addressed:** *Widen aisle maneuverability lane to 22 feet.*

## LANDSCAPING

A separate landscape plan is provided on Sheet 8 of the submitted plan set. Existing site landscaping is noted to remain with the exception of the four (4) trees to be removed to accommodate the retention area and landscaping along the south building elevation.

Five (5) Armstrong Red Maple trees are proposed along the southwest property extent abutting the railroad tracks. We question why additional landscaping is proposed in this area and not along Barker Road and West Street to enhance site aesthetics and provide for street trees.

In addition, two (2) varieties of seed mix are demonstrated for the rain garden areas and retention area.

One (1) tree per each 8 parking spaces is required. Eighteen (18) parking spaces are provided requiring 3 parking lot trees. Additional trees at the periphery of the parking lot should be installed to meet this requirement.

**Items to be Addressed:** *1) Relocate trees from southwest property corner to along Barker and West. 2) Provide three (3) parking lot trees at along parking lot periphery.*

## LIGHTING

A lighting plan has not been provided as part of the plan set. Existing lighting and proposed lighting photometrics must be provided. In addition, detail of all pole-mounted and wall-mounted fixtures is required to be provided demonstrating they are downward directed.

**Items to be Addressed:** *Provide lighting plan demonstrating location of all existing and proposed light fixtures, site photometrics, and lighting details.*

## SIGNS

No detail of proposed signage has been provided.

**Items to be Addressed:** *Provide location and detail of proposed signage, if applicable.*

## FLOOR PLAN AND ELEVATIONS

Floor plans have been provided and appear acceptable. Elevations of the proposed building addition have also been provided, and demonstrate fiber cement siding as the primary exterior material.

Section 30.05 outlines design standards for structures within the Whitmore Lake Overlay District. From the information provided, it appears all of the building design, materials and façade variation criteria have been met. However, since the building elevations were not labeled (north, south, east, west) we are assuming “Building Elevation 3” is the north elevation facing Barker Road.

With regard to required ground story activation and transparency, Section 30.05 C. 1. a. requires *the first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques. It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street and parking areas are visible to occupants of the building. The first floor of any front façade facing a right-of-way shall be no less than fifty percent (50%) windows and doors, and the minimum transparency for facades facing a side street, side yard, or parking area shall be no less than thirty percent (30%) of the façade.*

Based upon this Ordinance requirement, at a minimum the north building elevation would be required to provide 30% transparency or a transparency alternative provided in Section 30.05 C. 2. The entire northern building elevation (including the existing building) has not been shown. As provided, the proposed addition contains three (3) new windows providing 24 square feet or 12.5% of transparency along Barker Road. This calculation does not including the existing transparency along this elevation which contains two (2) large windows and the main entrance.

In our opinion, the proposed addition meets the three (3) following wall design transparency alternatives provided in Section 30.05 C. 2:

- System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters – *The northern building elevation (existing and proposed) incorporates a number of architectural elements including a covered porch with railing, overhangs, and cupolas.*
- Variation in material module, pattern, and/or color – *The proposed addition will contain differing textures/patterns, i.e. fiber cement siding and fiber cement wall trim.*

- System of integrated architectural ornamentation – *The proposed addition maintains the same roofline and cupola as the existing historic structure. Window and door openings are consistent with the size of the existing structure as well.*

Further, we suggest the applicant consider an additional window along the west portion of this elevation as there is no proposed window with the proposed community room area.

**Items to be Addressed:** *Add an additional window along the west portion of the north elevation (community room).*

## VARIANCES

None requested or required.

**Items to be Addressed:** *None.*

## RECOMMENDATIONS

### Conditional Use

We recommend the following item be addressed prior to conditional use approval:

1. Provide any changes in operation that may impact neighbors due to the proposed expansion.

### Site Plan

We recommend the following items be addressed prior to site plan approval:

1. Provide owner information for parcel south of the subject site.
2. All pages of plan are required to be signed and sealed by a licensed professional.
3. Demonstrate location of existing wells and sanitary sewer.
4. Township Engineer review of utilities and stormwater management at detailed engineering phase of review.
5. Provide area and percentage of open space proposed.
6. Correct parking calculation.
7. Provide information related to type and frequency of delivery vehicles.
8. Widen aisle maneuverability land to 22 feet.

9. Relocate trees from southwest property corner to along Barker and West.
10. Provide three (3) parking lot trees along parking lot perimeter.
11. Provide lighting plan demonstrating location of all existing and proposed light fixtures, site photometrics, and lighting details.
12. Provide location and detail of all proposed signage, if applicable.
13. Add an additional window along the west portion of the north elevation (community room).

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CARLISLE/WORTMAN ASSOC., INC.  
Douglas J. Lewan, PCP, AICP  
Principal

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CARLISLE/WORTMAN ASSOC., INC.  
Laura K. Kreps, AICP  
Associate

#271-02-1204

cc: Zaley Nelson, Northfield Township Library, 125 Baker Road, Whitmore Lake, MI 48189  
Kate Bond, Boss Engineering, 3121 E. Grand River, Howell, MI 48843



ARCHITECTS. ENGINEERS. PLANNERS.

January 23, 2015

**Northfield Township**  
**Building & Zoning Department**  
8350 Main Street, Suite A  
Whitmore Lake, Michigan 48189

Attention: Kathy Manley

**Regarding: Northfield Library Expansion – 9493 West Street**  
**Site Plan Review #1**  
**OHM Job #0151-15-1010**

We have reviewed the plans, received on December 31, 2015, for the proposed site improvements to the Northfield Library located at 9493 West Street according to Township guidelines and general engineering standards. A brief description of the project has been provided below, followed by our comments.

The applicant is proposing to expand the existing 3,106 square foot building with a 2,166 square foot building addition north of the existing. The existing sidewalk ramps in the southeast corner of the existing building are proposed to be removed and replaced. The existing dumpster pad south of the building is proposed to be removed and replaced. One existing water supply well is proposed to be abandoned and a second existing well is proposed to be relocated. Improvements to the site also include a storm water management system that proposes to incorporate two rain gardens and one retention basin to improve drainage related to the building addition.

### **General**

1. The address of the Northfield Library shall be shown on the plans.
2. A detailed project narrative shall be shown on the plan cover sheet. General site data was provided on sheet 3 but should be moved to the cover sheet.
3. We note that this building is served by public sewer. The existing sewer service lead and cleanout shall be shown on the plans.
4. The proposed location of the well identified to be relocated shall be shown in the plans.
5. The plans shall clearly identify existing and proposed manholes, fences, and property corners on plans and legend. Currently there appear to be some discrepancies between the plan symbols and those indicated in the legend.

### **Storm Water Management**

6. Soil infiltration test data is required for the retention basin and rain garden design calculations and shall be shown on the plans or provided as a supplementary document to the plans.
7. Additional soil boring information for the site shall be shown on the plans or provided as a supplementary document to the plans.
8. We note some differences in the methods used for calculating the existing and proposed required storm water retention basin storage volumes. The applicant shall review these calculations and update as necessary. Once corrected it appears that the proposed retention pond will need to be increased to accommodate the required volume.
9. In the storm calculations the total infiltration volume required is 2,778 cubic feet but is shown on the Grading, Drainage, and Soil Erosion plan (sheet 5) as 2,715 cubic feet and should be corrected.
10. In the rain garden #1 calculations, the soil storage volume is calculated as 636 cubic feet but appears to be actually 578 cubic feet. The total rain garden volume, and total infiltration volume provided shall be updated to reflect the correct soil storage volume for rain garden #1.

### **OHM Advisors**

34000 PLYMOUTH ROAD  
LIVONIA, MICHIGAN 48150

T 734.522.6711  
F 734.522.6427

OHM-Advisors.com



### **Paving and Grading**

11. We note that the existing parking lot aisle width is 16.39 feet but the required aisle width is 22.0 feet. We understand this is an existing condition but also recognize that it creates some challenges for vehicles traversing the site.
12. The two furthest west parking spots in the southwest corner of the parking lot appear to be prohibitive to maneuverability. Furthermore, these two parking spaces conflict with the proposed dumpster location. As shown on the current site plan these two parking spaces shall be removed and the area marked as a no parking zone.
13. The proposed dumpster pad location appears to be prohibitive to maneuverability by a front loading garbage truck and the proposed location should be reconsidered for accessibility.

### **Permits and other Agency Approvals**

It should be noted that copies of all permits and permit applications shall be forwarded to this office. Before final engineering approval can be issued, the applicant must submit all necessary permits/approvals, including but not limited to the following agencies:

- Northfield Township Fire Department approval for fire code compliance
- Northfield Township Building Department
- Washtenaw County Water Resources Commission for soil erosion and sedimentation control
- Washtenaw County Health Department for the proposed relocation and abandonment of two water supply wells

### **Recommendations**

Based on our review of the information submitted and our comments above, we do not recommend site plan approval at this time. The above-mentioned comments will be discussed during the Township Staff Review Meeting. We recommend that these comments be addressed prior to submitting a site plan to the Planning Commission for their consideration. Please note that additional comments may be generated on future reviews based upon the material presented.

Please feel free to contact Jacob Rushlow at (734) 466-4517 or [jacob.rushlow@ohm-advisors.com](mailto:jacob.rushlow@ohm-advisors.com) if you have any questions or concerns regarding this review.

Sincerely,

**OHM ADVISORS**

Jacob Rushlow, P.E.  
Township Engineer

cc: Howard Fink, Township Manager (via e-mail)  
William Wagner, Public Safety Director (via e-mail)  
Marlene Chockley, Planning Commission Chair (via e-mail)  
Doug Lewan, Carlisle/Wortman (via e-mail)  
Kurt Weiland, Building Official (via e-mail)  
Misty Raatz, Fanning Howey (via e-mail)  
Kate Bond, Boss Engineering (via e-mail)  
File

## NORTHFIELD TOWNSHIP ZONING COMPLIANCE APPLICATION/CERTIFICATE

- \* Certificate required prior to new construction or alterations of existing structures. Certificates also required prior to occupancy.
- \* Application must be accompanied by 2 copies of scaled site plan meeting information requirements of Zoning Administrator.
- \* Applications for zoning compliance certificates shall be deemed abandoned six (6) months after the date of filing unless diligently pursued or a building permit or certificate of occupancy is issued.
- \* Any certificate shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after commencement of work.

Parcel Identification Number: B-02- 00 . 401 . 000

Site Address: 125 Barker Road Whitmore Lake MI 48189

Lot #: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Property Size: 1.00 AC

Property Owner: Northfield Township PO Box 576 Whitmore Lake, MI  
Full Name Address City/State Phone  
 ( 734 ) 449-0066

Lessee/Applicant: Zalay Nelson 125 Barker Road Whitmore Lake, MI 48189  
Full Name Address City/State Phone  
 ( 734 ) 449-0066

If application is made by other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.

Zoning (Circle Classification or list other): RC AR LR SR1 SR2 MR VC LC GC ES HC GI LI Other: Downtown  
 Type of Construction/Alteration: 2,100SF Building Addition Overlay/District \_\_\_\_\_

Use of Site/Structure: Library # Units: \_\_\_\_\_

Sewer Available? XYes, Northfield Twp. Sewer Tap Permit # \_\_\_\_\_ No, WCHD Sewage Permit # \_\_\_\_\_

Project Start Date: Spring 2015 Projected Completion Date: Winter 2015

PC/ZBA Case #: \_\_\_\_\_ Action: \_\_\_\_\_ Date: \_\_\_\_\_

In case of any false statement or misrepresentation of fact in the application or on the plans on which the certificate is based, any zoning compliance certificate issued thereto shall be deemed null and void.

I hereby acknowledge the above facts, and those on the attached site sketch and prints to be true to the best of my knowledge and state that said construction and/or occupancy of the structure and/or site shall occur in accordance with this certificate. Further, I agree to give permission for officials of the municipality, county and the State of Michigan to enter the property for purposes of inspection.

Zalay Nelson  
 Authorized Signature \_\_\_\_\_ Date: 1/23/15

- Office Use Only -

I hereby certify that I have reviewed the plans for the purpose of zoning compliance only and not for construction.  
 Existing legal non-conformities: N/Y

Zoning Compliance Certificate: Approved Approved as noted Denied

Comments/Reasons for denial: \_\_\_\_\_

\_\_\_\_\_  
 Zoning Administrator \_\_\_\_\_ Date \_\_\_\_\_

8350 Main Street, Whitmore Lake, MI 48189  
 Telephone: (734) 449-5000 ♦ Fax: (734) 449-0123 ♦ Web site: twp-northfield.org

## Mary Kendall

---

**From:** Kate Bond <kateb@bosseng.com>  
**Sent:** Friday, January 23, 2015 11:37 AM  
**To:** 'Mary Kendall'  
**Subject:** RE: Special Use Permit aka Zoning Compliance  
**Attachments:** Spec Land Use App.pdf

Mary,  
Attached please find the Land Use application. Please let me know if there is anything else necessary for this to proceed forward for a public hearing at the February 18<sup>th</sup> Planning Commission meeting. My clients are urgently looking at this date since this component of the site planning process was overlooked. I want to assure them that the 18<sup>th</sup> is still possible. I certainly appreciate your help in this matter.



**Kate Bond, R.L.A.**  
Project Manager, Associate  
[kateb@bosseng.com](mailto:kateb@bosseng.com)  
cell 810.986.0105

3121 E. Grand River  
Howell, Michigan 48843  
tel 517.546.4836 / fx 517.548.1670

[www.bosseng.com](http://www.bosseng.com)

Engineers / Surveyors / Planners / Landscape Architects

---

**From:** Mary Kendall [<mailto:kendallm@twp.northfield.mi.us>]  
**Sent:** Friday, January 23, 2015 10:06 AM  
**To:** [kateb@bosseng.com](mailto:kateb@bosseng.com)  
**Subject:** Special Use Permit aka Zoning Compliance

Kate:

Attached please find our Zoning Compliance (Special Use Permit).

If there is anything else you need, let me know.

Thanks,  
*Mary Kendall*

**NORTHFIELD TOWNSHIP**  
**Building Department**  
8350 Main Street  
Whitmore Lake, MI 48189  
(734) 449-5000  
(734) 449-0123 fax  
[kendallm@twp.northfield.mi.us](mailto:kendallm@twp.northfield.mi.us)

*"When the power of love overcomes the love of power the world will know peace."*

*Jimi Hendrix*

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.



3121 E. Grand River Ave. Howell, MI 48843  
 (517) 546-4836 Fax: (517) 548-1670 E-mail: be@bosseng.com

# LETTER OF TRANSMITTAL

DATE 12/23/14	JOB NO. 14-221
ATTENTION Planning and Zoning	
RE: Northfield Township Library Addition	

TO  
 Northfield Township  
 8350 Main Street  
 Whitmore Lake, MI 48178

- WE ARE SENDING YOU**  Attached  Under separate cover via \_\_\_\_\_ the following items:
- Shop drawings     Prints     Plans     Samples     Specifications  
 Copy of letter     Change order     \_\_\_\_\_

COPIES	DATE	NO.	DESCRIPTION
5	12/23/14		Site Plans

**RECEIVED**  
 DEC 30 2014  
 NORTHFIELD TOWNSHIP

THESE ARE TRANSMITTED as checked below:

- For approval     Approved as submitted     Resubmit \_\_\_\_\_ copies for approval  
 For your use     Approved as noted     Submit \_\_\_\_\_ copies for distribution  
 As requested     Returned for corrections     Return \_\_\_\_\_ corrected prints  
 For review and comment     \_\_\_\_\_  
 FOR BIDS DUE \_\_\_\_\_ 20\_\_\_\_\_     PRINTS RETURNED AFTER LOAN TO US

REMARKS

For review

COPY TO File \_\_\_\_\_

SIGNED: Kate Bond  
 Kate Bond, R.L.A.

# RECEIVED

DEC 30 2014

NORTHFIELD TOWNSHIP

Application # \_\_\_\_\_

NORTHFIELD TOWNSHIP	
SITE PLAN REVIEW APPLICATION	
PROJECT NAME: Northfield Library Expansion	
PROJECT ADDRESS: 125 Barker Road	
Applicant Information:	Owner Information:
Name: Northfield Township Library (Zaley Nelson)	Name: Northfield Township Library
Address: 125 Baker Road Whitmore Lake	Address: PO Box 576 Whitmore Lake, MI 48189
Phone: (734)449-0066	Phone: (734)449-0066
Email:	Email:
If the applicant is not the property owner, then a statement from the owner <b>MUST</b> be attached authorizing the application.	
Proof of ownership OR Statement if applicant is not owner is attached. <input type="checkbox"/>	
If applicant is not the owner, describe applicant's interest in the property	
PROPERTY DESCRIPTION	
Legal Description: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> On Site Plan	Parcel ID(s): 02-06-401-008 Recently combined to form
Description of Proposed Use:	02-06-401-009
The library is adding a 2,166SF addition to the west side of the existing library structure.	
Total Acreage of Site: 1.6AC	Total Floor Area: Existing: 3106 Proposed: 5272
Height of Structure(s) (in stories & feet):	Sanitary Facilities: <input checked="" type="checkbox"/> Sewer <input type="checkbox"/> Septic Water: <input type="checkbox"/> Municipal <input checked="" type="checkbox"/> Private Well
Zoning Classification(s): <input type="checkbox"/> RC <input type="checkbox"/> AR <input type="checkbox"/> LR <input type="checkbox"/> SR1 <input type="checkbox"/> SR2 <input type="checkbox"/> MR <input type="checkbox"/> VC <input type="checkbox"/> LC <input checked="" type="checkbox"/> GC <input type="checkbox"/> ES <input type="checkbox"/> HC <input type="checkbox"/> GI <input type="checkbox"/> LI <input type="checkbox"/> Other _____	
SITE PLAN REVIEW OPTIONS	
Administrative Site Plan Review: <input type="checkbox"/> Expansion or reduction of an existing, conforming structure less than 2,000 sq. ft. / 5% of floor area <input type="checkbox"/> Additional parking, loading / unloading spaces and landscape improvements	Site Plan Review: <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Building Addition
Development Plan Review: <input type="checkbox"/> Planned Unit Development <input type="checkbox"/> Planned Residential Development <input type="checkbox"/> Site Condominium Plan	Amendment to Approved Site Plan or Development Plan: <input type="checkbox"/> Site Plan <input type="checkbox"/> Development Plan
Site or Development Plan Review in conjunction with: <input type="checkbox"/> Rezoning Request <input type="checkbox"/> Special Land Use Request	

Application # \_\_\_\_\_

AUTHORIZED SIGNATURE	
I hereby state that all of the above statements and all of the accompanying information are true and correct.	
Applicant's Signature: <u>Gary Nelson</u>	Date: <u>12/20/14</u>
FOR OFFICE USE ONLY	
Application Received Date: _____	Planning Commission Received Date: _____
Planning Commission Action: <input type="checkbox"/> Approved Date: _____	<input type="checkbox"/> Denied Date: _____
Expiration Date: _____	
Fee Received: <input type="checkbox"/> Cash <input type="checkbox"/> Check # _____	

# NORTHFIELD TOWNSHIP

## CONCEPT MEETING FORM

**PROJECT NAME:**

*Northfield Township Library*

**Applicant Contact Information:**

Name:

Address:

Phone:

Facsimile:

Email:

### MEETING AGENDA

The following items should be discussed during the project concept meeting. This form should be completed during the project concept meeting and distributed to all parties.

Review of policy and procedural matters including scheduling.



Review required outside agency reviews and approvals.



Review all submission requirements including the Northfield Township Site Plan Process Manual and all checklists.



Review of the concept plan including any general zoning, landscaping, engineering and architectural design issues.



Identify relevant historic, cultural and physical land features.



Indicate to the applicant if a second project concept meeting will be required prior to apply for full site plan approval.



### AUTHORIZING SIGNATURES

By signing below I attest to the fact that each of the above items was discussed at the project concept meeting:

Applicant:

*[Signature]*

Date:

*9-5-14*

Township Staff:

*[Signature]*

Date:

*9-5-14*

*Please attach the project concept meeting sign-in sheet to this form.*

# NORTHFIELD TOWNSHIP

## CONCEPT MEETING CONTACT LIST

**PROJECT NAME:**

**Meeting Date:**

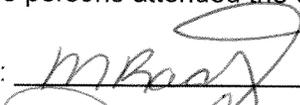
### APPLICANT / OWNER / REPRESENTATIVES

	Name	Phone	Email
1.	Brent LaVanway	517 546-4836	brentlebosseng.com
2.	Misty Raatz	248 534 9214	mraatzefhain.com
3.			
4.			
5.			
6.			
7.			

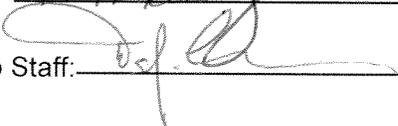
### TOWNSHIP STAFF

1.	Jacob Rushlow	734-466-4517 OHM (Twp Engr)	jacob.rushlow@ohm-advisors.com
2.			
3.	Doug Lewan	734-662-2200	dlewan@cwaplun.com
4.			
5.			
6.			
7.			

The above persons attended the concept meeting for the project listed above.

Applicant: 

Date: 9-5-14

Township Staff: 

Date: 9-5-14

*Please attach to the the project concept meeting form.*

# Real Estate Summary Sheet

\*\*\*Information herein deemed reliable but not guaranteed\*\*\*

06/16/2014 3:21 PM

**Parcel:** B -02-06-401-009  
**Owner's Name:** NORTHFIELD TOWNSHIP LIBRARY  
**Property Address:** 9493 WEST ST  
WHITMORE LAKE, MI 48189  
**Liber/Page:** 4809/83  
**Split:** 06/16/2014  
**Public Impr.:** None  
**Topography:** None

**Current Class:** 702.EXEMPT STATE PROPERTY  
**Previous Class:** 702.EXEMPT STATE PROPERTY  
**Gov. Unit:** P TOWNSHIP OF MANCHESTER  
**School:** 81140 WHITMORE LAKE PUBLIC SCHO  
**Neighborhood:**

**Created:** 06/16/2014  
**Active:** Inactive

**Mailing Address:**

NORTHFIELD TOWNSHIP LIBRARY  
PO BOX 576  
WHITMORE LAKE MI 48189

**Description:**

OWNER REQUEST NO 6-27 BEG AT E 1/4 CORNER SEC 6, TH S 01-56-25 E 231.00 FT, TH S 88-39-00 W 232.64 FT, TH N'WLY ALNG US-23 R/W TO S R/W LN OF BARKER RD, TH N 88-39-00 E 113 FT, TH N 01-56-25 W 33 FT, TH N 88-39-00 E 270.00 FT TO THE POB. PT OF SE 1/4 SEC 6, T1S-R6E. 1.53 AC  
COMBINED ON 06/16/2014 FROM B -02-06-401-004, B -02-06-401-008;

## Most Recent Sale Information

None Found

## Most Recent Permit Information

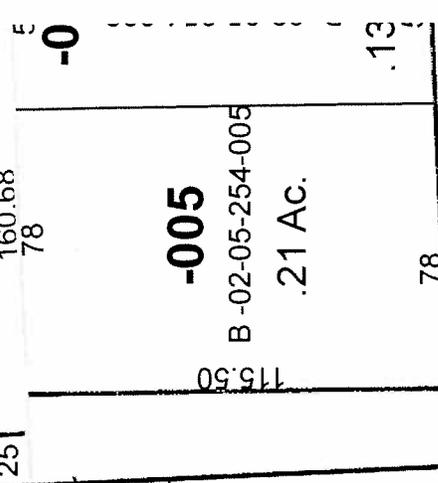
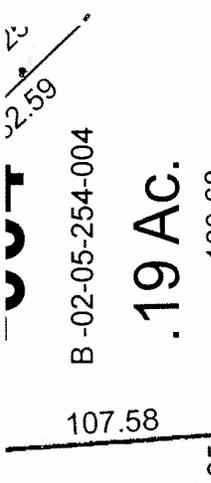
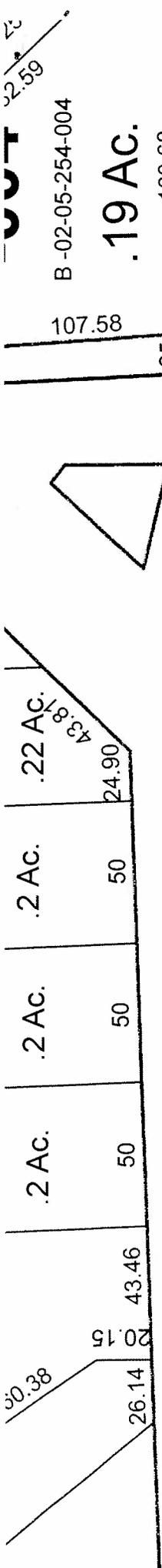
None Found

## Physical Property Characteristics

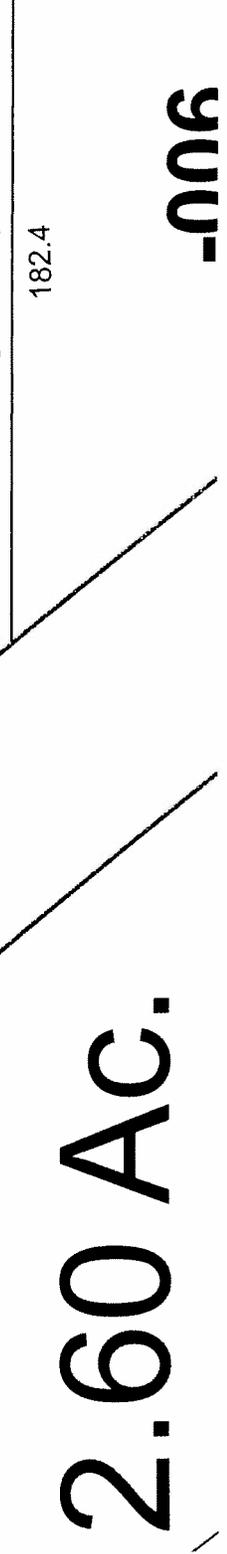
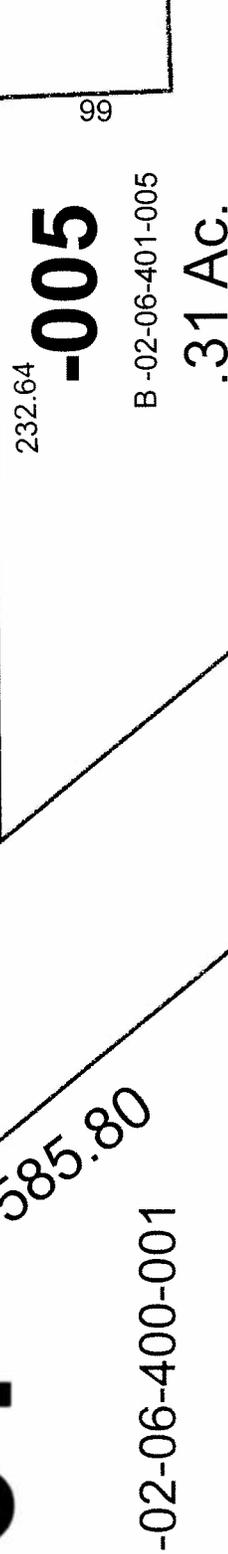
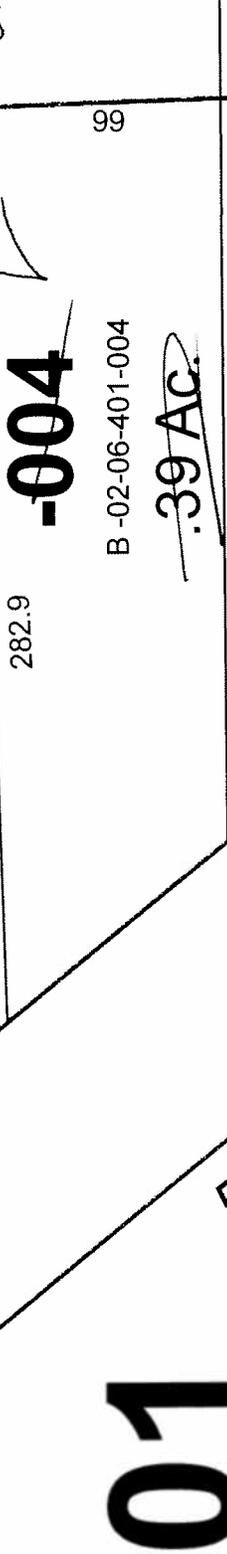
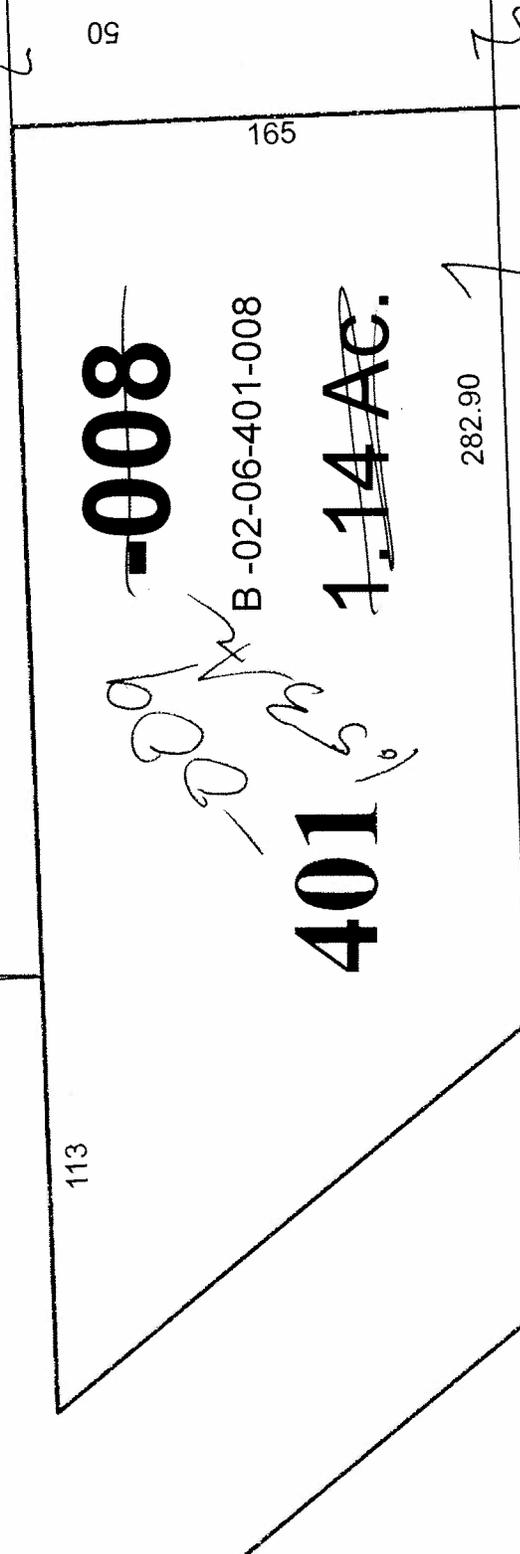
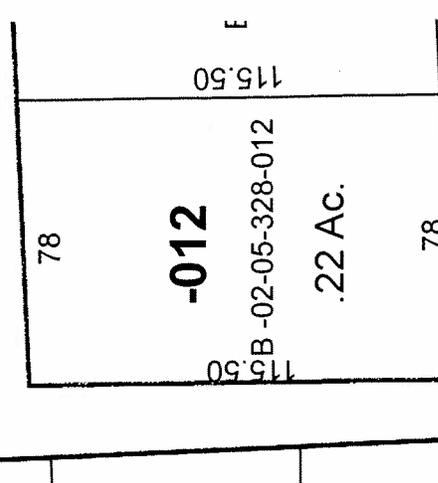
<b>2015 S.E.V.:</b>	Tentative	<b>2015 Taxable:</b>	Tentative	<b>Lot Dimensions:</b>	
<b>2014 S.E.V.:</b>	0	<b>2014 Taxable:</b>	0	<b>Acreage:</b>	0.00
<b>Zoning:</b>		<b>Land Value:</b>	Tentative	<b>Frontage:</b>	0.0
<b>PRE:</b>	0.000	<b>Land Impr. Value:</b>	Tentative	<b>Average Depth:</b>	0.0

E-MAILED

06/16/14



**M**



**01**

-02-06-400-001

**2.60 AC.**

**-006**

**-008**

B -02-06-401-008

**401**

**1.14 AC.**

**-004**

B -02-06-401-004

**.39 AC.**

**-005**

B -02-06-401-005

**.31 AC.**

182.4

50

165

282.90

282.9

99

232.64

**-005**

99

78.33

78

**-012**

B -02-05-328-012

**.22 AC.**

78

120

**-0**

**OUT**

B -02-05-254-004

**.19 AC.**

160.68  
78

**-005**

B -02-05-254-005

**.21 AC.**

78

115.50

**-012**

B -02-05-328-012

**.22 AC.**

78

120

**Northfield Township  
Notice of Public Hearings  
Conditional Land Use – Northfield Library**

The following public hearing will be held at 7:00 P.M., Wednesday, February 18, 2015, at the Northfield Township Offices, 8350 Main Street, Second floor, Whitmore Lake, Michigan, 48189, for the purpose of receiving public comment on a proposed conditional land use request.

The Township Planning Commission will hear information and take public comment on a conditional use application from the Northfield Library to allow an expansion of library facilities within the WL-DD, Whitmore Lake Downtown Overlay District pursuant to Section 30.04 of the Northfield Township Zoning Ordinance. The conditional use, if approved, would allow an expansion to the existing library (public building) at this location. The subject property is located at 125 Barker Road parcel number B-02-06-401-009.

A copy of the conditional use application may be examined at the Northfield Township Offices, by interested persons, during regular office hours, weekdays, between 9:00 a.m. and 4:30 p.m.

Written comments regarding the proposed conditional use application should be directed to the Northfield Township Clerk at Northfield Township 8350 Main Street, Whitmore Lake, MI 48189.

In compliance with the American with Disabilities Act, accommodations can be made available with a seven day advanced notice. Individuals with disabilities requiring auxiliary aids or services should contact Northfield Township by calling the Northfield Township Clerk at (734) 449-2880, ext. 14.

Angela Westover, Clerk  
Northfield Township

Newspaper                      Ann Arbor News  
Date of Publication        Feb. 1, 2015

**February 18, 2015**

**Priority Setting Discussion Items**

**Planning Documents**

**Review of the Master Plan**

- Update the demographic section
- Sewer Capacity Study
- School District Boundaries
- Densities associated with the various zoning classifications

**Greenway Plan – coordinate with county greenways**

**Zoning ordinance**

- Densities allowed within each residential zoning classification
- Landscape section
- Public Land Zoning
- Form-based Zoning
- Dogs
- Lake Lots
- Tiny Homes

**Studies**

- Traffic Flow in downtown
- Parking issues downtown
- Economic Gardening -- prioritize needs for Downtown Development

**Policy/Administrative**

- Capital Improvement Plan
- Site Plan Review Manual
- Municipal Water Supply – BOT policy

**2013**

**Results of Commissioner Priority Survey**

**Average Range**

**Zoning Ordinance**

Done	1.8	1-3	Sign Ordinance
	2.3	1-4	Continue to revise the ordinance manual to simplify
Done	3.0	1-5	Floor area ratio on lake lots
Done	3.2	1-5	Ordinance change to accommodate problems with placement of structures where wetlands are present
Done	3.2	1-5	Revise the building addition percent threshold for administrative review
Done	3.7	1-5	Open Space Ordinance
Done	3.7	1-5	Ordinance change to accommodate accessory structures in front yard setback in AR district

**Studies**

	1.5	1-3	Bike and trailways
	2.2	1-3	Prioritize needs for Downtown Development
	2.5	1-4	Traffic flow downtown
	3.0	2-5	Parking issues downtown
	4.2	3-5	Greenway Plan

**Administrative Items**

	1.5	1-3	Meeting with the DDA
Done	2.3	1-4	Digital-based user friendly version of Zoning Ordinance
			Presentation on building department processes, charges, zoning compliance, issues, blight, etc. from Kurt
	2.7	1-4	Weiland
	2.7	1-5	Fee structure for building department
Done	3.0	2-4	Short educational presentations on planning concepts, i.e. PUD processes, etc.

**Policies**

	1.8	1-3	Municipal Water Supply
	1.8	1-3	Taxes on Solar and Wind energy systems

# NORTHFIELD TOWNSHIP PLANNING COMMISSION

8350 Main Street, Whitmore Lake, MI 48189

To: Northfield Township Board of Trustees

Re: Annual Report to the Board

Date: February 18, 2015

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**2014 Quick Facts:** The Planning Commission held twenty meetings—three of them were joint meetings with the Board of Trustees and one was a workshop on Advanced Site Plan Review. We completed the requests of four applicants (one rezoning, one site plan, and two conditional use permits—including one with site plan). We also revised thirteen articles and numerous sections of the zoning ordinance. We amended the Master Plan to institute a Mixed Use South designation in the US 23 – North Territorial Interchange area and followed that with language for the zoning ordinance—the Whitmore Lake / North Territorial Overlay District (WLNT).

\*\*\*\*\*

Early in the year, the Planning Commission considered how to improve business opportunities in the US 23 – North Territorial area. This resulted in selecting a study area at that interchange and considering what might improve the economic climate. The area was designated Mixed Use South. We laid out a vision for greater versatility of business development in that area and an amendment to the Master Plan resulted.

Immediately thereafter, the Whitmore Lake North Territorial Overlay District was developed. It allows the continued underlying zoning, but promotes mixed uses with an emphasis on commercial, service, office and research technology uses, and related high density residential uses consistent with the Township Master Plan.

Throughout the year, the Commission has continued to methodically review the zoning ordinance for consistency and to ensure it is fair and customer-friendly. We have thus amended the following articles:

- Recreation Conservation
- Single Family Residential 1
- Single Family Residential 2
- Multiple Family Residential
- Manufactured Housing Community – recently approved for BOT action
- Local Commercial
- General Commercial
- Highway Commercial
- Research, Technology and Manufacturing
- Residential Office – recently recommended for BOT elimination
- Limited Industrial
- General Industrial
- Enterprise Services

We also amended the following sections:

Open Space Development – allowing up to a 150% density bonus in the Agriculture Residential District  
Conditional Use Permit Public Hearing  
Amendment Procedure for Public Hearing  
Public Notice Signage for Public Hearings  
Day Cares  
Adult Foster Care Facilities  
Temporary Outdoor Sales  
Outdoor Seating and/or Service  
Mini-Warehousing  
Drive-In Facilities  
Violations and Penalties

As the economic climate continues to improve in Michigan and Washtenaw County, the Township has seen some interest in significant housing development in the southwest quadrant of the township. While this area is not currently master planned for the potential intensity, the Commission has defined a study area and is taking a careful look at the impacts of such a development, both positive and negative, for the township in general and that area in particular. When enough of the key information requested is obtained, we will determine if an amendment of the Master Plan may be appropriate for any or all of the study area or if an even broader evaluation is warranted.

At that time, all the avenues for public participation will be opened so that we obtain a broad and representative view of the needs, wants, and concerns of our citizens. This is an indispensable step in this significant amendment process and respects the citizens of the Township and their important role in the process. We expect that the Board of Trustees will agree and approve the funds necessary to carry out public workshops and a scientific survey before any recommendation is made to change the Master Plan.

Finally, if you see a need with which the Planning Commission might be able to assist, please feel welcome to bring it to our attention. Thank you.

**The 2015 Planning Commission**

Marlene Chockley, Chair and Representative to the Huron River Watershed Council

Janet Chick, Vice-chair and Board of Trustees Representative

Mark Stanalajczo, Secretary

Ken Cousino, Member

Ken Dignan III, Member and Zoning Board of Appeals Representative

Sam Iaquinto, Member and Representative to the Parks and Recreation Commission

Larry Roman, Member

# NORTHFIELD TOWNSHIP PLANNING COMMISSION

## Minutes of Joint Meeting with the Northfield Township Board of Trustees July 16, 2014

### 1. CALL TO ORDER

The meeting was called to order by Planning Commission Chair Marlene Chockley and Township Supervisor Marilyn Engstrom at 7:05 P.M. at 8350 Main Street.

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL AND DETERMINATION OF QUORUM

Planning Commission:

Janet Chick	Present
Marlene Chockley	Present
Brad Cousino	Present
Andrea Darden	Present
Kenneth Dignan	Present
Sam Iaquinto	Present
Larry Roman	Present

Township Board:

Marilyn Engstrom, Supervisor	Present
Angie Westover, Clerk	Present
Kathy Braun, Treasurer	Present
Janet Chick, Trustee	Present
Wayne Dockett, Trustee	Present
Jacki Otto, Trustee	Present
Tracy Thomas, Trustee	Present

Also present:

Township Manager Howard Fink  
Township Attorney Paul Burns  
Planning Consultant Douglas Lewan,  
Carlisle/Wortman Associates  
Recording Secretary Lisa Lemble  
Members of the Community

### 4. APPROVAL OF AGENDA

- ▶ **Motion:** Dignan moved, Iaquinto supported, that the agenda be adopted with action on approval of the minutes the Planning Commission minutes of July 2, 2014, postponed to the August 6, 2014, meeting. **Motion carried 7—0 on a voice vote.**

### 5. FIRST CALL TO THE PUBLIC

Chockley explained that due to the large number of people present time for speaking would be limited to three minutes per person or five minutes per spokesman for a group. She noted Commissioners and Trustees would be listening to comments, but not responding.

**Potential Master Plan Amendment.** Joanne Marttila Pierson, 5756 Earhart, presented a petition with 113 signatures gathered in 18 days online through Northfield Neighbors. She said this request for a master plan amendment by Biltmore Development is reminiscent of the Grand Sakwa request. She said this proposed development would not benefit the Township.

Lisa McCully, 9536 Main Street, said she is for responsible development and it is unrealistic to think farmland will remain farmland. She said development of nice neighborhoods should be encouraged.

Kristine Klump-Ward, 9041 Timbercrest Lane, said she is a 40 year resident raising two children. She said the hope of several years ago when a new high school was built has given way to fear of losing the school district and the identity of Whitmore Lake. She said smart, responsible growth is needed to chart a new course.

Mary Devlin, 9221 Brookside, said new homes and businesses have been built recently in other nearby communities, but not in Northfield Township. She said Biltmore is an established developer, and she recalled that the last large development built has become a beautiful part of the community. She said the Biltmore project will help the tax base and commercial and industrial development will follow.

Sandy Klump, 9474 Lake Point Drive, read a letter she had submitted. She said has been part of this community since visiting her grandparents as a child in the 1940s. She said this community is not prospering in the way others of a similar size are. She said there is a stagnation and lack of vision and she asked the Commission to get the community moving toward what it might be; lack of growth hurts the residents, schools, and businesses. She said change is scary, but lack of positive development is scarier.

**Northfield Township Planning Commission  
Minutes of Joint Meeting with the Northfield Township Board of Trustees  
Public Safety Building; 8350 Main Street  
July 16, 2014**

Susan Shink, 600 West Joy Road, said she is a farmer and her property would be touched by the Biltmore Development. She said this development would not bring money into Northfield Township; rather its residents will look to Ann Arbor as their community, shopping there and going to Ann Arbor schools. She said that is simply a matter of where it is. She said this proposal would threaten her farm and the others—at least seven—within a mile of this site. She said the Ann Arbor Township Supervisor, Mike Moran, has expressed concerns about this proposal as has the Huron River Watershed Council. She said the concerns about stagnation she is hearing are more related to the lack of waterfront development and efforts should be put into that. She said her neighborhood is stable and this proposal would ruin it.

Cheryl MacKrell, Village of Barton Hills Board of Trustees member, said this development would be a disaster in many ways, affecting traffic and water quality. She presented a map showing aquifers serving Barton Hills wells and said 400 homes on wells at the proposed site would destroy their water supply. She urged the Township to stick to its Master Plan. She said farmland, once gone, cannot easily be replaced, and it will be more valuable for five acre lots.

Craig Warburton, 450 West Joy Road, said a June 17<sup>th</sup> email he wrote is in packets for this meeting, but a previous letter he wrote is not and he read parts of it. He said this proposal is not compatible with the Master Plan which the Township adopted only two years ago after an extended period of public input. He said he was appalled at the last Planning Commission meeting that it took a member of the public to inform the applicant for another project that he not met the requirements for posting signage on his property.

Leann Knope, 5720 Earhart, said she is concerned about the process involved in this request. She said the Township spent \$30,000 to hire Carlisle/Wortman planning consultants to prepare a Master Plan which Iaquinto called “important work” which would guide the Township for 20 years. She said now the first test of it violates the strategies stated in the Master Plan. She said clearly the answer is “no” to the request to amend the Master Plan because if Biltmore is responsible they will honor the Master Plan which the website states is there to guide all of the development in the Township.

Kelly Klump, 11658 East Shore Drive, said she lives about one-half mile from Northfield Township in Green Oak Township. She said she supports responsible growth and she grew up in Whitmore Lake and is raising her family here. She urged the Commission and Board to resist the objections of a few voices and to support growth in Northfield Township.

Lenore Zelenock, 1440 Six Mile Road, said the community spent countless hours to develop the

current Master Plan, and she asked that the Commission and Board adhere to that plan. She said if Biltmore had asked to develop land according to the Plan the community would be viewing site plans. She asked if the plan is changed for this developer, how any other developer could be refused.

Lee Linville, 7515 South Kearney Road, said he participated in three visioning sessions in the Township in recent years and the outcome was always to maintain the rural development of the community. He said he does not choose to live in the Township because of the high taxes and poor services, rather he chooses to live here because of the rural character. He asked that the Master Plan be adhered to.

Faith Wheeler, 371 Grove, said she is in favor of development, but she is opposed to one-quarter acre lots because it is costly to the community. She said she would be in favor of five acre lot development, and she suggested that Biltmore look at areas of the community that are already zoned for small lots. She said once farmland is gone it cannot be gotten back.

John Meadows, 11485 East Shore Drive, Green Oak Township, said he is worried about the future of the community and schools, and he believes strategic decisions improve the community and schools. He said if the Township had not been so anti-community the current problems would not be so serious. He said he believes the rural nature and small town character of the community can be preserved with a proper growth plan.

Gary Ward, 11928 North Main Street, Whitmore Lake, said there is declining enrollment in the local schools and a declining tax base. He said more people are moving out than are moving in. He said every plan has to be adaptable and the needs of the community are greater than the plan.

Raven Tuttle, 470 West Five Mile Road, asked what would have happened had Grand Sakwa built all of their houses before the economy collapsed. She said the Township would not have been able to provide the services needed. She said luckily that is still farmland, and the Township will need its farmland.

Otto Moehrle of Ann Arbor Township, said he moved his machine tool business in 1987 to 1081 E. North Territorial Road. He said he has seen Northfield township struggle and this is due to development being stifled. He said he is also a farmer in Northfield Township and he does not see a problem with having houses next to him.

Rose Vincent, 3850 East North Territorial, said she is a farmer, and the Master Plan calls for agricultural in the subject area. She said she hopes it will stay that way.

**Northfield Township Planning Commission  
Minutes of Joint Meeting with the Northfield Township Board of Trustees  
Public Safety Building; 8350 Main Street  
July 16, 2014**

Cliff McGee 7735 Leonard Ave, Green Oak Township, said he shops in Brighton because there are no stores here. He said this can be worked out if everyone works together and responsible growth is the key.

David Gordon, 5558 Hellner Road, said rather than telling this developer that their plan does not comply with the Master Plan two Commissioners voted to start the Master Plan amendment process. He said this is not a matter of pro-growth vs. anti-growth, rather it is a matter of what the right kind of growth is. He said he got 50 signatures going door-to-door and talking with the property owners who abut the subject site. He referenced a cost of services study and said it is clear that residential development needs to be subsidized by commercial and industrial development. He asked the Commission to stand by the Master Plan and state publicly that it is a good plan.

Gary Wellings, 341 Lillian, said this is déjà vu, and if the Master Plan does not include high density development within one mile of US-23 it is not right. He said people are fooling themselves if they think this area will not be developed because it is the history of the human species—cities get larger. He said he feels bad for people who thought the area would stay rural, but that does not reflect reality. He said this community has stagnated and suffered due to lack of growth. He asked the Commission to make every effort to address the concerns of the people currently living in the area while allowing for development. He said if Grand Sakwa had been built the community would probably not be losing the Whitmore Lake School district because 400 families would be living across from it. He said there might be 113 signatures in opposition, but there are 8000 people in the community who have suffered due to the developments that Northfield Neighbors have stopped.

Jim Nelson, 7777 Sutton Road, said Northfield Neighbors is not responsible for the collapsed economy, and people did not want the North Territorial bridge expansion because they did not want a seven lane road. He said a Master Plan is a promise for the future. He said at Green and Nixon Roads in Ann Arbor Toll Brothers is demanding that the City annex hundreds of acres to give the land a tonier address for their development. He said the real problem with Whitmore Lake is lack of lake access and no way for the downtown to grow.

Sue Wienckowski, 5558 Hellner Road, said this proposal is not in compliance with the Master Plan, but there are other areas of the Township that are properly zoned for that type of development. She said she and many others like the Township the way it is, and 60% of voting residents voted down the Grand Sakwa development. She said Whitmore Lake is an oasis between Brighton and Ann Arbor and many people want the rural character of the community preserved.

Tom Zelenock, 1440 Six Mile, said he is pro-growth but opposed to this proposal that does not comply with the Master Plan. He said it is disrespectful to the Township residents who worked so hard to create the Master Plan, and development should proceed according to the Plan, not according to the desires of an outside developer. He said there is a plan and the Township should stick to it.

Jennifer DeLisle, 7441 Spencer Road, said she wrote an extensive letter in opposition to this proposal. She said this is not fair to the residents of the Township who participated in good faith in creation of the Master Plan or to those residents of this area. She said if Biltmore wishes to develop in Northfield Township there are plenty of appropriately-zoned areas. She said the Commission has more power at this point than at any other time in the process. She said the cards are stacked in favor of the developer, but the Township has this opportunity to say no. She said she is not anti-development, but it does not belong in areas zoned agricultural. She said it not fair to those who chose to live in areas that are zoned agricultural and are protected as such under the Master Plan. She asked the Commission to act courageously. She said the Grand Sakwa shows what happens when the Township does not listen to the wishes of the residents.

## **6. CORRESPONDENCE**

**Request for Master Plan Amendment.** Chockley noted that Commissioners and Board members received letters about this in their packets and via email.

## **7. REPORTS**

### **7A. Board of Trustees**

Chick reported Angela Westover was appointed Clerk, and the Board:

- approved the amendment to the Master Plan to add the Mixed Use North and Mixed Use South designations,
- approved seven zoning ordinance amendments, and
- denied the amendment to the RTM district.

### **7B. ZBA**

No meeting has been held since the last Planning Commission meeting.

### **7C. Staff Report**

Nothing to report.

### **7D. Planning Consultant**

Nothing to report.

## **8. PUBLIC HEARINGS**

None.

## 9. OLD BUSINESS

None.

## 10. NEW BUSINESS

None.

## 11. MINUTES

Postponed.

## 12. POLICY REVIEW & DISCUSSION

### A. Review of Issues and Policy Discussion concerning undertaking a Potential Master Plan Amendment for the Whitmore Lake Road corridor in the Southwest Sub-area.

David Stollman, President of Biltmore Development, LLC, said Biltmore and its affiliated companies have been in business for over 100 years and is a fourth generation family business. He listed some of their developments including Somerset Mall, and apartments in Troy, Partridge Creek Mall in Macomb County and Cherry Hill Village in Canton Township.

He said it would be presumptuous of them to present a plan for what they want to do with the subject land at this point because they prefer to work with the community. He said they are flexible and try to come up with a plan that works with community input. He said there is obviously a lot of contention regarding this, and the real questions are whether the Township wants growth, and if it does, what that should look like.

He said one of the real advantages to having over 400 ~~areas~~ acres is the ability to plan growth in a comprehensive, rational, pragmatic way, rather than development being pieced together 60 acres at a time. He said they have a lot of tools to work with if the Township wants the project, and 460 acres allows for a lot of flexibility. He said he is here to listen.

Dockett said he is in favor of this. He said 70% of the Township's land is agricultural and in his opinion this is the place for development.

Chockley noted that the Commission and Board are simply considering the issues at this point, and it is just as challenging for them as it is for other Township residents. She asked everyone to listen to the planning consultant's comments.

Douglas Lewan, Township planning consultant, recalled that at the last Planning Commission meeting the Commission asked his firm to begin a review of the

Master Plan. He said in discussions about this project it became clear that this is a policy issue for elected and appointed officials to address, rather than simply for a planning consultant to comment on.

Lewan said a master plan is a fluid document which may change based on conditions in a community, and a sub area of a Master Plan may be reviewed by itself, rather than the entire document. He reviewed the process involved in any update of the Master Plan, noting that State law calls for review by neighboring communities and a public hearing. He said this is a relatively long process

He read the outline of the meeting he had prepared, including what the outcomes should be. He said this is not an all-or-nothing proposal—the Commission or Board could decide to look at one part of the site being proposed for development by Biltmore. He said the decision to be made would apply to any developer, not just Biltmore. Lewan said he also provided a review of existing conditions and an analysis of acreages in the Township by zoning categories and Master Plan designation.

Chockley said she would like to discuss whether the proposed development area is appropriate for any type of development. She said when the Master Plan was developed the intent was to keep development out of the rural, dirt road areas, instead keeping it clustered around US-23. Lewan said he does not disagree with that. He said a number of layers are looked at in developing a Master Plan, including existing uses, transportation, and natural features. He said in this case Whitmore Lake Road is one of the only primary arterial roads in the Township along with North Territorial and US-23. He said development along it is certainly more appropriate than along the dirt roads Chockley referred to.

Chockley said the parcels proposed to be developed are agriculturally in use and have some special features. She said under the current zoning ordinance any of the parcels along Whitmore Lake may be developed at a density of one house per two acres rather than the five acre minimum applicable to other areas. She said in her mind that two acre density might be more appropriate for this area.

Chockley asked for comments from Commissioners and Board members. Otto asked if there are currently any low-density (1-2 acre) areas in the Township. Chockley said the areas in yellow (LDR) on the map are designated for 2 acres; orange areas—which are MDR—are one acre without sewer service or one-quarter acre with sewer service. She noted that farming was specifically allowed by right in the LDR district.

Iaquinto commended the Board for the billboard campaign it has put up indicating that Northfield

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Township is “open for business.” He asked Board members what their thoughts were when they put that message out. Engstrom said she liked this idea and thought the message should have been “Under New Management.” She said she was frustrated by the previous Board’s policies. She said this is a natural spot for development. She said this community is unique in the area with lots of rural area and a lakefront, but she said it is not realistic to think development will not come to the site being considered. She said Northfield Township was blacklisted by developers, and if Grand Sakwa had been built there would not currently be talk of the Whitmore Lake School District being taken over by the Ann Arbor Public Schools.

Chick said she would like to give people in this area some kind of assurance that there would be some kind of buffer and that sensitive areas on the site would be respected. Stollman said that would absolutely be the case. He said they try to preserve woodlands and provide open space buffers where appropriate. He said his understanding is that this community would not like the type of development where someone driving along the adjacent road sees a berm then the backs of houses. He said they are interested in being creative in finding ways to work together and a 460 acre site allows for that. He said they have gotten praise from government officials elsewhere about their ability to come up with solutions even on difficult sites.

Chick asked Stollman to address the concerns raised about aquifers. Stollman said it is premature to comment on this point, but they would not be building a water system that would have huge negative impacts on surrounding communities, although those are complicated issues that need to be worked out. He said there is no point in them doing studies of those types if the Township indicates it is not interested in having development in that area.

Regarding the comments made previously about the density, he said there is a lot of work that goes into determining what density can be supported, but densities can be blended on a site of this size.

Chick said the Commission has been working over the past several months on the North Territorial/US-23 area where it is hoped commercial and light industrial development will occur to provide work and retail opportunities for Township residents. She said to bring businesses into the Township the natural progression is for development to go along Whitmore Lake south of US-23. She said agricultural areas in the Township would be not be depleted by doing this.

Otto said she grew up in a farming community, and if farm land is not used it is wasted and the land starts dying. She said when the Township considered advertising on billboards the priority was to promote a thriving community. She said growth comes from commercial and residential development, and right

now there is residential development being proposed, not commercial, so that is what the Township has to consider.

Braun said she is not anti-growth, and she is not for or against Biltmore, but she is wary and concerned. She said there are in-fill development opportunities that are available which would use existing infrastructure. She said the proposed development is not in the Whitmore Lake School District, and the cost of this development would be borne by the taxpayers, whereas in-fill development would help the taxpayers.

In answer to a question from Dignan, Stollman said the driving force behind developing these parcels is the Ann Arbor School District. He noted that Toll Brothers is not currently involved in this project, but they would be interested in building homes in this area. He said in this climate of a recovering economy Toll and other builders are interested only in the Ann Arbor School District at this point.

Dignan said residential development is the linchpin to growth in the US-23 and North Territorial area. He said the 65 m.p.h. speed people travel at along Whitmore Lake Road is not suitable for agricultural. He said if a sub-area of the Master Plan is looked at he would like to see it limited to about one mile from US-23.

Dignan said 2200 feet away from this site Ann Arbor Township has designated land as high-density residential. He said he serves on the Whitmore Lake School Board and he knows declining enrollment is a problem. He said everyone refers to responsible growth, but one of the opponents to this project said the only responsible growth is no growth. He said he does not want to see 1600 homes on this property, but this is a key opportunity to look at the Master Plan, and it is appropriate to say that land within one mile of US-23 is suitable for development. He said a thorough evaluation of everything that affects this community is in order.

Chick said the Master Plan is a good document, but it is not inappropriate to amend it at any time. She said she was part of the process of developing the Plan, but the economy was not good at that time. She said things are changing now and the Mixed Use South site has been amended to encourage development there, so it is appropriate to consider other changes in this area.

Iaquinto said he respects other viewpoints and he has been a Planning Commissioner for a total of 11 years, but the community has been stagnant due to the no-growth perception, and the most important thing for the Commission to consider is keeping the community vibrant. He said the health of the entire community, not just one part of it, must be considered. He said any development will have impacts of some kind such as on traffic and views, but he believes development in

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this corridor is in the best interest of the community. He said even though it is in the Ann Arbor School District it is close to the Whitmore Lake School District and believes residents of this development would consider Whitmore Lake schools for their families because it is a good district.

Chockley said rooftops would support the commercial development is desired in this area. Dignan agreed and said that many families would consider Whitmore Lake Schools because they do not like the slanted education provided in Ann Arbor.

Thomas said he came to this meeting prepared to say no to this development for a variety of reasons. He said procedurally this is wrong because the Township went through a lengthy master planning process, and with all due respect to Chick he does not think conditions have changed to the point that the document merits being changed. He said that might partially be his bias as an attorney which states that after a decision is made conditions must change to warrant a revision.

He said he is also concerned because this is a site-specific request, but he has changed his mind. He said he thinks this process should go forward because he does not think the Township took a good enough look the last time the Master Plan was revised. He said there was not enough data, and he would still have to be convinced that a certain number of rooftops equals commercial development. He said he does not think good communities necessarily develop that way, and there are some real risks to proceeding in this site-specific way. He said again that despite the time and money spent on the Master Plan and its revision he does not think this area was analyzed well enough. He said part of the problem is that these are difficult issues.

Engstrom agreed and said Master Plans have to change. She said changing the Plan all the way down Whitmore Lake Road should be considered. She said if the Whitmore Lake School District is annexed by Ann Arbor, there will be even more development pressure.

Westover said she thinks development in this area is a natural progression.

Cousino said he is encouraged that development is proposed. He said he is a builder/developer himself, and all of the parcels that were sold cheaply during the recession are gone. He said the sewer system did not extend anywhere near this property when the Master Plan was finalized, and that has changed. He said the Township is split mostly between Whitmore Lake and South Lyon schools, but a sizable portion is in the Ann Arbor School District, and perhaps there was not enough consideration of that. He said there are weighty issues to consider here, and he shared Thomas'

concern that this is being considered because of the request of one developer.

Darden said she was not involved in the original master planning process, but she lived here then and knows how the community has changed. She said this needs to be looked at holistically though, rather than as a request from one developer for one piece of land.

Iaquinto said today's true farming requires 500-1,000 acres, and not much of that is happening in this area. He said what people really want is preservation of open space, so if that can be accomplished along with realistic development the Township is being served wisely. He said this is also a property rights issue; it is farmers who want to sell their land and they realize they are not large to operate a commercial farm successfully.

Chockley said she has a tiny farm, and those types of farms have a future and should not be discounted. She said she would not like to see all farmland disappear, but that will not happen.

Chockley asked Lewan to discuss the regulations that are in place to protect the natural features of the subject property and all property in the Township. Lewan said the zoning ordinance contains safeguards including open space provisions to allow for cluster developments, and regulations for wetlands and woodland preservation, environmental impact studies, etc.

Chockley said Northfield Township has lost population over the last couple decades and is aging, and older people need different types of housing. She said the Township needs to look at what will allow grandparents to stay in the vicinity of their families as they age. She said developers are smart and know what sells, so she is sure the Township will get quality developments.

Lewan said when the current Master Plan was developed it made sense for the situation at that time, specifically in the area of Whitmore Lake. Regarding the *Outcomes and Future Direction* part of the agenda he said he has not heard anyone say a sub-area planning effort should not be undertaken, so it seems clear that should move forward. He said he will try to address issues such as sewer capacity, the population in the area, and protection of natural features.

He said to be fair to everyone this has been a very transparent process and he expects it to remain that way. He also said no Commissioners or Trustees have tried to influence him regarding this issue, but as the process moves forward he will certainly be providing his opinions.

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Regarding the scope of the sub-area to be considered, Lewan said he will be providing some alternatives to the Commission. He said he expects this will be a regular issue of Planning Commission agendas until it is addressed.

**13. COMMENTS FROM  
COMMISSIONERS AND TRUSTEES**

**Potential Master Plan Amendment.** Dockett said people who want to sell their land have rights and should be able to sell. He said he spoke with Wastewater Treatment Plant Superintendent Hardesty this morning who said this development could bring the sewer treatment plant close to its capacity depending on how many units there are. He recalled there was a moratorium on building in the 1970s because of a lack of sewer capacity, and he would not want to experience that type of problem again.

Darden thanked the members of the community who provided input. Iaquinto said it was good to hear from people with opinions on both sides of this issue. Chick asked that the public continue to provide information and comments.

**14. SECOND CALL TO THE PUBLIC**

**Potential Master Plan Amendment.** Lenore Zelenock, 1440 Six Mile Road, asked the Commission to consider the density of the proposed development. She said while the developer says they are not considering quarter acre lots, that was what the developer of Shadowood said and it ended up being quarter acre lots.

Raven Tuttle, 470 West Five Mile Road, asked whether this issue could be postponed pending the annexation of the Whitmore Lake Schools by Ann Arbor. She said if that goes through this particular climate change will change farming, so people will need to be close to their food sources. She said it is real, and that has to be planned for.

Susan Shink, 600 West Joy Road, said she is a small farmer and came to Northfield Township to farm. She said Northfield Neighbors never was a special interest group, rather they are neighbors. She said a vibrant, wonderful corner of the Township is being written off to benefit a developer. She said she has invested her life savings in the Township.

Ken Judkins, 1270 Dhu Varren Road, Ann Arbor Township, says he farms about 1200 acres with his brother, about half of it in Ann Arbor Township and half in Northfield Township, and he also farms in Webster Township. He said only 60 acres of the 460 acres being discussed is being farmed this year, and only 100 acre of it has been farmed in the last 20 years. He said the biggest threat to his farm is five and ten

acre zoning. He said he knows farmland and this land is marginal because it cannot be drained. He said he runs a draining business, he has walked all of this land, and there is no way to drain this property.

Craig Warburton said his land borders parcel H, and he said it seems like there is a propensity to turn this into a growth or no-growth issue. He said the Township should use this rare opportunity to force some of this development into the Whitmore Lake School District before the district is lost.

David Gordon, 5558 Hellner Road, said he has property rights, and the owner of this property has the right to sell it for five acre parcels, but they are trying to sell it for more money. He said if you want your community to grow, you are creating a win-lose situation by throwing some of the residents under the bus. He said he has been here for 30 years and asked that his property rights not be disregarded.

Faith Wheeler, 371 Grove, Horseshoe Lake, said there seems to be an impression being given that Northfield Neighbors were devils with horns and that the recession was their problem. She said Meijer did not leave because of Northfield Neighbors, rather they did not build because of the recession. She said this is a blue collar community and people here lost jobs. She said people also lost homes which has increased the tax burden on those left behind. She said everyone has concerns, and she asked that everyone's needs be considered, and that everyone work together.

Joe Van Esley, real estate broker, said he is the broker who introduced the developer to the property owners. He said he also was involved when Meijer wanted to come to Northfield Township. He said Northfield Neighbors stopped the bridge replacement and the Meijer development.

Jim Nelson, 7777 Sutton Road, said residents objected to spending \$20 million to build a seven lane bridge, rather than a reasonable plan.

Mary Devlin, 9211 Brookside, said maybe if this development goes through Meijer will build.

Jennifer DeLisle, 7441 Spencer Road, said it is a mistake to proceed with this process, especially in light of the possible annexation of the Whitmore Lake Schools by Ann Arbor. She said she hopes rather than being so ferociously pro-growth the Township will work with the people who actually live in this area to preserve farmland, natural features, and rural roads.

Brenda Warburton, 450 West Joy Road, said she is a mom with children in Ann Arbor schools. She said she does not shop in Whitmore Lake, she shops in Ann Arbor. She said the Township would be giving up a gem

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of a piece of land, and the tax money will be going to Ann Arbor Schools.

A member of the public said he agrees with Chockley that everyone needs to get along, but from the Board and Commissioner comments this sounds like a done deal. He said he does not see anything from the Board or Commission that sounds like the community is being represented as a whole.

David Hellner, 5545 Hellner Road, said he has lived there for 80 years and his parents lived there before him. He said without development the Township will fold within 20 years.

Ben Belen, 470 West Joy Road, said he has worked for a Detroit wastewater treatment plant for 16 years, and he is concerned about draining for 1600 homes.

**15. ANNOUNCEMENT OF NEXT MEETING**

**August 6, 2014**, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location.

**ADJOURNMENT**

- ▶ **Motion:** Roman moved, Iaquinto supported, that the meeting be adjourned.  
**Motion carried 7—0 on a voice vote.**
- ▶ **Motion:** Engstrom moved, Braun supported, that the meeting be adjourned.  
**Motion carried 7—0 on a voice vote.**

The meeting was adjourned at 9:53 P.M.

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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 August 6, 2014.

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Marlene Chockley, Chair

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Kenneth Dignan, Secretary

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

**NORTHFIELD TOWNSHIP  
Township Board  
Minutes  
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**CALL TO ORDER**

The meeting was called to order at 7:00 P.M. by Supervisor Engstrom at 8350 Main Street.

**PLEDGE**

Supervisor Engstrom led those present in the Pledge of Allegiance.

**ROLL CALL**

Township Board:

Marilyn Engstrom, Supervisor	Present
Angela Westover, Clerk	Present
Kathy Braun, Treasurer	Present
Janet Chick, Trustee	Present
Wayne Dockett, Trustee	Present
Jacki Otto, Trustee	Present
Tracy Thomas, Trustee	Present

Planning Commission:

Janet Chick	Present
Marlene Chockley	Present
Brad Cousino	Absent with notice
Kenneth Dignan	Present
Sam Jaquinto	Present
Larry Roman	Present
Mark Stanalajczo	Absent with notice

Also present:

Township Manager Howard Fink  
Wastewater Treatment Plant Superintendent  
Tim Hardesty  
Public Safety Director William Wagner  
Community Center Director Tammy Averill  
Township Attorney Paul Burns  
Planning Consultant Laura Kreps, Carlisle-Wortman  
Recording Secretary Lisa Lemble  
Members of the community

**CONSENT AGENDA:**

- **Minutes of September 23<sup>rd</sup> special meeting and October 28<sup>th</sup> regular meeting**
- **Bills**

Dockett asked that minutes and bills be pulled for discussion. It was agreed to add these as agenda items 3 and 4.

**ADOPT BALANCE OF AGENDA**

Engstrom noted that the topic listed for discussion with the Planning Commission should be only Sewer Capacity Report (with "for Proposed Biltmore Development" stricken).

- ▶ **Motion:** Chick moved, Engstrom supported, that agenda be adopted as amended.  
**Motion carried 7—0 on a voice vote.**

**FIRST CALL TO THE PUBLIC**

**Biltmore Request to Amend Master Plan.** Mary Devlin, 9211 Brookside, spoke in favor of development in the Township. Dale Brewer, 11548 East Shore Drive, said Biltmore is following the process required by State law.

The following people spoke in opposition to the Biltmore request to amend the Master Plan:

Ed Wojtys, 6235 Hellner Road  
Susan Wienckowski, 5558 Hellner Road  
Kitty Burkhart, 6187 Nollar Road  
David Gordon, 5558 Hellner Road  
Heidi Braun, 5510 Hellner Road  
Robin Wojtys, 6235 Hellner Road  
Mary Christianson, 409 East Shore Drive  
Michael Galea, 6211 Hellner Road  
Laura Wojtys, 6235 Helner Road  
Craig Warburton, 450 W. Joy Road  
Lenore Zelenock, 1440 Six Mile Road  
Mike Cicchella, 7789 Sutton Road  
Amy Grambeau, 5165 Hellner Road  
Pete Misangy, 409 E. Shore Drive  
Jeff Souza, 7641 Edmund Avenue  
Jim Nelson, 7777 Sutton Road

Engstrom thanked Kim Phillips for sending a note to the Board.

**REPORTS**

**Department Heads**

*Fire.* Public Safety Director Wagner read the report summary. In answer to a question from Dockett, Wagner said he is pursuing grant funding.

*Police.* Public Safety Director Wagner read the report summary.

- ▶ **Motion:** Otto moved, Thomas supported, that the sale of Police Department vehicles—2005 Dodge Dakota, 2003 Ford Taurus, and a 2012 Ford Explorer—be approved. **Motion carried 7—0 on a voice vote.**

- ▶ **Motion:** Otto moved, Engstrom supported, that the Police Department request to purchase a new 2015 Chevy Tahoe from Champion Chevrolet at a cost of \$34,534.10. **Motion carried 7—0 on a voice vote.**

- ▶ *Wastewater Treatment Plant.* Superintendent Hardesty referred to his written report. In answer to a question from Dockett, Hardesty said the sludge hauling contract went out for bids three years ago for a three year period.

*Senior Center.* Averill referred to her written report and said she and Fink will have more information about the Meals on Wheels proposal at the next meeting.

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**Other**

*Zoning Board of Appeals.* Otto announced that Athena Trentin is moving out of state so is resigning in December. She asked that a search for a new member be opened up to the public. She noted that the ZBA is required to have one more Board meeting this year.

Otto also reported that a June variance applicant has asked for a discount on his ZBA fee. She noted that discounts are offered at February and August meetings.

- ▶ **Motion:** Otto moved, Dockett supported, that the Township Board apply a discount for Mr. Trim and give him a \$500 discount on his Zoning Board of Appeals fee.

Dockett asked for a roll call vote. Thomas said he would abstain because he does not have enough information. Chick also recommended tabling this.

- ▶ **Motion:** Chick moved, Braun supported, that this request be tabled.  
**Motion carried 7—0 on a voice vote.**

*Planning Commission.* Chick reported that six public hearings were held on November 5<sup>th</sup> for a request for cell phone tower and zoning ordinance amendments.

*Parks and Recreation.* Thomas referred to the Township Manager's report.

*Township Manager.* Fink referred to his written report and answered questions from Dockett.

**AGENDA ITEMS**

**1.  
Health Insurance**

Fink said he is recommending that (a) the Board remove the hard caps (i.e. opt out of Act 152), (b) choose the Silver HSA and Bronze HSA, and (c) increase the health insurance pool by \$40,000 to fund the HSAs. He said he cannot see another way to provide good insurance for employees and member of the Police Department, and without doing this some employees would have to pay \$12,000/year for their insurance.

Jack Schmitz of Burnham & Flower Insurance Group said 90% of the Townships he works with are opting out of the hard caps. He noted that age banding is increasing the costs for Townships more than for other groups.

Dockett objected to spending more money on health insurance.

- ▶ **Motion:** Chick moved, Engstrom supported, that the Township opt out of Public Act 152. **Motion carried 6—1 on a voice vote, Dockett opposed.**
- ▶ **Motion:** Otto moved, Westover supported, that the HSA Silver PPO and HSA Bronze PPO insurance plans be approved. **Motion carried 6—1 on a voice vote, Dockett opposed.**

- ▶ **Motion:** Chick moved, Westover supported, that \$40,000 be transferred from the general fund to fund the cost of health insurance for the Township staff and Police. **Motion carried 6—1 on a voice vote, Dockett opposed.**

- ▶ **Motion:** Otto moved, Engstrom supported, that the Silver HSA account be funded at minimum at \$5,000 for a family, \$3,300 for a couple, and \$1,650 for an individual. **Motion carried 6—1 on a voice vote, Dockett opposed.**

- ▶ **Motion:** Otto moved, Engstrom supported, that the Bronze HSA account be funded at minimum at \$6,550 for a family and 3550 for an individual. **Motion carried 6—1 on a voice vote, Dockett opposed.**

**2.**

**Tax Tribunal Case: Mary L. Wolowiec Living Trust vs. Township of Northfield**

- ▶ **Motion:** Engstrom moved, Chick supported, that the negotiated settlement in Tax Tribunal Case 14-005631 be approved. **Motion carried 7—0 on a voice vote.**

**3.**

**Minutes**

Dockett made two corrections to the minutes of the October 28<sup>th</sup> meeting.

- ▶ **Motion:** Chick moved, Engstrom supported, that the minutes of the regular Township Board meeting of October 28, 2014, be accepted as amended, and to dispense with the reading.  
**Motion carried 7—0 on a voice vote.**

- ▶ **Motion:** Chick moved, Engstrom supported, that the minutes of the special Township Board meeting of September 23, 2014, be accepted as presented, and to dispense with the reading.  
**Motion carried 7—0 on a voice vote.**

**4.**

**Bills**

Fink and Wagner answered questions from Dockett about several expenditures including a water heater for the Community Center, repair to a Fire Department utility vehicle, and purchase of uniforms

- ▶ **Motion:** Engstrom moved, Chick supported, that the bills be paid. **Motion carried 7—0 on a voice vote.**

**JOINT SESSION WITH PLANNING COMMISSION:  
Sewer Capacity Report**

Brian Rubel of Tetra Tech provided an overview of the current sewer system which currently operates at about 600,000 to 700,000 gallons/day, has a permit for discharge of up to 1.3 million gallons/day (for an average day)—which would allow for approximately 1900 additional residences—and has capacity to expand to 3 million gallons/day. He noted that during rains of several

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inches upwards of 3 million gallons/day have been processed while meeting permit requirements.

Rubel noted that many sewer systems have storage tanks to hold overflow temporarily and that has been something the Township has wished to have for many years. He said it is difficult to tell how many additional homes could be added before a difference in flow would be noticeable, and while the system is not near a situation of creating an environmental problem, it is near the capacity where storm condition flows could be handled without adding a storage tank.

Dockett questioned what commitments the Township has for providing service to Green Oak Township and existing sewer districts. Rubel said he has seen only one document committing 250,000 gallons (740 REUs) to Green Oak. He said the issue of whether capacity is reserved for the North Territorial district is a Board decision.

In answer to a question from Iaquinto, Rubel said the cost of a sewer system expansion would be paid for only by those who use it through connection and use fees. Braun said no developer would pay for a sewer plant expansion, so the cost would have to come from a millage or the general fund.

Dignan said it is an embarrassment that the need identified 26 years ago for a storage tank has not been addressed. In answer to a question from Otto, Rubel said some communities order sewer studies every five years, while others may wait 15 years. He said if growth areas are identified they could be included in a master plan and a capital improvement plan.

There was more discussion about what the actual available capacity of the current system might be and whether capacity should be reserved for property owners in districts who have paid their frontage fees. Dignan said a vision for the community has been lacking, and the Township needs to make desired development more attractive to developers and be prepared to provide services when projects are proposed. Engstrom said developers are sometimes willing to pay for some of these costs.

Burns said the plant is regulated by the Department of Natural Resources and also by Livingston County court order as a result of an environmental protection lawsuit which limits expansion to 2.25 million gallons/day. He said the Township also has a legal obligation to fulfill requests for service from people in special assessment districts (SADs), so an inventory of those districts and all other areas potentially requesting services is needed, and the Township currently does not have that. He said lawsuits have resulted when governments have not been

able to provide services for parcels that have paid in advance for it.

Rubel said preparation of an inventory would best be done jointly by him, Burns, and Hardesty. In answer to a question from Braun, Burns said the equalization basin discussed in a court order was never built, but that is what Rubel is suggesting needs to be provided. Dockett said many studies have been done, and if another is to be done there needs to be a commitment to carry through on the findings. Thomas said the Township has legal and moral obligations to people—including those in other Townships—to figure out what the situation is now.

Fink said he, Burns, Rubel, and Hardesty can develop a list of questions that have to be asked and bring that to the Board so a study can be ordered to find the answers. Rubel said within a month he can provide a very broad range of costs for that work.

## **SECOND CALL TO THE PUBLIC**

**Sewer Capacity/Study.** Pete Misangy, 409 E. Shore Drive, said putting a storage basin right away makes sense and updating the last plan and coordinating it with the master plan is what residents want to see. David Gordon, 5558 Hellner Road, said he hopes the study the Board orders includes figures for the costs if subdivisions are allowed all the way down US-23. Amy Grambeau, 5165 Hellner Road, said including information about the financial problems encountered in Sylvan Township should be included. Udo Huff, 6451 Whitmore Lake Road, said the Board did not plan properly when it created the sewer district he is in.

## **BOARD MEMBER COMMENTS**

**Sewer Capacity/Study.** Planning Commissioners and Board members agreed it was useful to have this discussion, but noted this is the very start of the project.

**Biltmore Development.** Iaquinto recalled that at the last joint Board/Commission meeting many people spoke in favor of the Biltmore Development. Chockley and Chick said all of the information the Board and Commission have is discussed at public meetings, nothing is being hidden, and no elected officials are courting Biltmore.

**Election.** Westover said turnout was excellent and thanked the volunteers and everyone who voted.

## **ADJOURNMENT**

Engstrom adjourned the meeting at 10:18 P.M.

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Submitted by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;

Wording added is underlined.

Approved by the Township Board on December 9, 2014.

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Angela Westover, Clerk

Official minutes of all meetings, as well as expanded notes, are available on the Township's website at [http://www.twp-northfield.org/government/township\\_board\\_of\\_trustees/](http://www.twp-northfield.org/government/township_board_of_trustees/)

**NORTHFIELD TOWNSHIP**  
**Township Board Workshop**  
**Minutes**  
**January 27, 2015**

**CALL TO ORDER/PLEDGE**

The workshop was called to order at 7:07 P.M. by Supervisor Engstrom at 8350 Main Street.

Supervisor Engstrom led those present in the Pledge of Allegiance.

**ROLL CALL**

Marilyn Engstrom, Supervisor	Present
Kathy Braun, Treasurer	Present
Angela Westover, Clerk	Present
Janet Chick, Trustee	Present
Wayne Dockett, Trustee	Present
Jacki Otto, Trustee	Present
Tracy Thomas, Trustee	Absent with notice

Also present:

Township Manager Howard Fink  
Public Safety Director William Wagner  
Community Center Director Tammy Averill  
Township Attorney Paul Burns  
Planning Consultant Douglas Lewan,  
Carlisle-Wortman Associates  
Members of the community

**ADOPT AGENDA**

Engstrom asked that Item 4 be moved to the top of the list of Discussion Items.

- ▶ **Motion:** Engstrom moved, Otto supported, that the agenda be adopted as amended.  
**Motion carried 6—0 on a voice vote.**

**FIRST CALL TO THE PUBLIC**

**Township Growth/Development/Master Plan.** Sandy Klump, 9474 Lake Point Drive, Kelly Klump, 11658 East Shore Drive, Brad Tanner, 5115 Nollar, John Meadows, 11485 East Shore Drive, Carolyn Ottoman, 10181 Whitmore Bay Drive, (Green Oak Township), and Eric Reed, 5847 Hellner Road, and spoke in favor of changing the master plan to allow additional growth in the Township.

Ed Wojtys, 6235 Hellner Road, David Gordon, 5558 Hellner Road, Laura Wojtys, 6235 Hellner Road, Robin Wojtys, 6235 Hellner, and Jim Nelson, 7777 Sutton Road, spoke in favor of growth where indicated in the current master plan while preserving farmland and open space.

Cecilia Infante, 1035 E. Five Mile Road, spoke in favor of growth and urged open-minded discussion on both sides of a very complicated issue.

**BOARD MEMBER COMMENTS**

**Township Growth/Development/Master Plan.** Dockett and Engstrom spoke in favor of changing the master plan and growth in the Township.

**CORRESPONDENCE & ANNOUNCEMENTS**

Fink reported:

- Development Block Grant (CDGB) project to construct sidewalks between the Township Hall and the middle school, which will be managed by the County, will be on the Board's February 10th agenda for approval.
- He was not successful in getting funding approved at the Urban County Executive meeting for a community garden in the Township, but he will try again next year with a revised proposal.

**DISCUSSION ITEMS**

**4.**  
**Job Description for**  
**Senior Nutrition Program Assistant**

[Moved up on the agenda].

Community Center Director Averill referred to the proposed job description and asked for input from the Board. In answer to questions from Dockett, Averill said the position will be funded by the grant for program. Responding to a comment from Dockett, Fink explained that an additional \$3,000 approved by the Board for this project is discretionary funding if Averill feels it is needed.

**1.**  
**Planning Commission Visioning by the Board**

Engstrom explained that the Planning Commission had asked the Board to provide their views on the issue of growth in the Township. Chick, Township Board representative to the Planning Commission, stressed that this is not a discussion about the Biltmore proposal, but about growth in general. She noted that Planning Commission Chair Marlene Chockley and planning consultant Douglas Lewan were both present.

Comments included:

- Dockett and Engstrom: There is not a balance of uses in the Township.
- Engstrom: Many people in the community were unaware of the opportunities to comment on the master plan when it was being developed and do not feel comfortable speaking in public. Development in the areas so designated for commercial development in the

**Northfield Township Board Meeting  
Minutes of Workshop Meeting  
Public Safety Building; 8350 Main Street  
January 27, 2015**

Township is not realistic. Only expensive houses can be developed when so little area for small lot developments is available and that is squeezing many families out of the community. The five acre minimum lot size should be changed from 5 to 2.5 acres, the 2.5 acre district should be lowered to 1 acre, and medium density residential should be lowered to one-third acre lots. Greater setbacks from major roads would preserve rural views. Allowing more development would still leave 75% of the Township rural. The Township should look like what the residents envision. If someone can dream it, let them build it. The Planning Commission should look at planning for the Territorial and South Whitmore Lake area and work on revising the Master Plan. The Planning Commission has seemed not to do anything since the joint meeting with the Board last year and canceled two meetings at the end of the year for lack of business. There are not enough realistic locations for subdivisions with smaller than one acre lots.

- Otto: It would be good to see areas between existing subdivisions filled in, but the property owners are not willing to sell yet. The same is true for the medium-density residential (MDR) land in town and south of Wildwood.
- Lewan: At Chick's request, he explained what types of development are currently allowed in the Township per the Master Plan, and noted that residential densities can be increased by up to 150% in cluster development if certain criteria are met. He also explained that while a master plan is generally considered to be a 20 year document and the State requires review of it at least every five years, it is true that it could be reviewed every year if ideas, opinions, or conditions have changed.
- Otto: A recent Michigan Townships Association (MTA) article supported changing a master plan to respond to development inquiries. Lewan said that is common. He said it used to happen more frequently before State law changed in 2006 requiring a wider, longer public review process.
- Chick: Five acre residential is considered sprawl, and smart growth includes a wide variety of housing options, a functional mix of residential and commercial, preserving open space and farmland, and taking advantage of compact development design. Sewers are not needed for all growth. Scio Township has more population and development, but they have put most of their development along Jackson Road while still preserving open space. People on both sides of this issue can be accommodated with some compromise.
- Braun: It is good to hear that extending sewers is not necessary for residential development.
- Westover: The zoning in the Township should not be so exclusionary (five acre lots). The idea of development toward the east along North Territorial is interesting.
- Otto: Opportunities for development to the east along Territorial is interesting. Having developers pay for some amenities is attractive, and with the right development the community could still look quaint and attractive.

- Chick: A 2006 Planned Unit Development (PUD) proposal that would have preserved half the land in open space was half in the Ann Arbor and half in the Whitmore Lake school districts. A report at the time listed the tax benefits of the development based on an increase in the tax base of \$91.55 million.
- At Dockett's request, Lewan explained how the PUD ordinance allows development flexibility, but said this also has some drawbacks and there are no PUDs in Northfield Township.
- Engstrom: PUDs in other communities that are very dense and surrounded by hundreds of acres of trees look ridiculous rather than having more separation between houses. It would be interesting to see what Northfield Township's PUD ordinance allows.
- Fink clarified that a PUD can be used in any zoning district, and it is a process that allows flexibility in variances while identifying benefits that can be provided for the community in exchange.
- Regarding the Biltmore development, Lewan said in his opinion the process of revising the master plan for that purpose has been in Biltmore's court for some time, but from the comments he has heard at this meeting he hears interest in moving beyond that project.
- Chick: Regarding the comment made by Engstrom about what the Planning Commission has been doing, she said it has been revising ordinances to open up the Township to allow bigger and better things.

**2.  
Prioritizing Road Projects**

Fink referred to the list of road projects presented by the County Road Commission and their request for the Township Board to prioritize these.

It was agreed that the priorities are East Shore, then North Territorial, followed by Whitmore Lake and Barker. Dockett agreed with Fink that maintaining the roads that are still in good condition should also be a priority.

Fink said he will prepare a priority list for Board review.

**3.  
Board Room Construction**

Fink referred to a short list of architects for this project and explained his preference for using a construction management company rather than a general contractor because of the additional control it provides.

Braun noted that the Township offices took over space previously occupied by the Fire Department resulting in them being very cramped in the space they moved into on the Police side of the building. Fink said if a conference room is built upstairs the one downstairs could be split into additional office space. He said a long term plan for building out the second floor of the building needs to be developed. Dockett said this will cost way too much money.

**Northfield Township Board Meeting  
Minutes of Workshop Meeting  
Public Safety Building; 8350 Main Street  
January 27, 2015**

**SECOND CALL TO THE PUBLIC**

**Township Growth/Development/Master Plan.** Dale Brewer, 11548 East Shore Drive, David Gordon, John Meadows, and Jerry Webb, 285 Waterlily, made comments about growth and open space preservation.

**BOARD MEMBER COMMENTS**

**Township Growth/Development/Master Plan.** Engstrom said anyone with a large enough parcel can farm, but if they want to sell for development they can also do that, and no one's rights are being taken away. Dockett said it is almost impossible to bring sewer and other utilities to two acre lots. Chick said she believed the Master Plan was

appropriate at the time it was adopted and it is not inappropriate to change it as conditions change.

**Horseshoe Lake Sewer Fund Refunds.** In answer to a question from Dockett, Fink said the spreadsheet of refunds of the \$700,000 in the fund was released last week and will be available for review for two weeks. He added that if there are no issues raised by residents it will be brought to the Board, probably on February 10<sup>th</sup>, and checks will be issued to those who owned properties as of December 1, 2014.

**ADJOURNMENT**

► **Motion:** Engstrom moved, Chick supported, that the meeting be adjourned.

Engstrom adjourned the meeting at 9:51 P.M.

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Submitted by Lisa Lemble.

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

Approved by the Township Board on \_\_\_\_\_, 2015.

\_\_\_\_\_  
Angela Westover, Clerk

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# SmartGrowthTactics

Putting the MLULC Recommendations into Action—A How to Series for Local Leaders

## RELIANCE ON DESIGN CONCEPTS AND PATTERNS TO PRESERVE COMMUNITIES

The Michigan Land Use Leadership Council (MLULC) recognizes the importance of training, education, and knowledge as the means and methods of managing land use change and community development.

The MLULC's 2003 final report includes recommendations for planning and development regulation and encourages a public education campaign that includes concepts to help citizens better understand the implications of the continuation of land use trends and the benefits of better planned development in general. Additionally, it includes the specific benefits of alternative design schemes that focus on density rather than minimum lot sizes including: density-based zoning, new urbanism, and diverse socio-economic development patterns.

In an effort to continue the momentum and application of the MLULC's recommendations, this issue of *Smart Growth Tactics* focuses on form-based codes (an outgrowth of new urbanism). A form-based code is a land development regulatory tool that places primary emphasis on the physical form of the built environment with the end goal of producing a specific type of "place." The base principle of form-based coding is that design is more important than use. Where conventional zoning controls land use and focuses on separating land uses, form-based coding focuses on form as it relates to streetscape and adjacent uses.

This issue will provide: an overview of the principles associated with form-based codes; a discussion on the differences between conventional zoning and form-based codes; and introduce the structure of form-based codes and the process to developing form-based codes. The article will additionally provide examples of Michigan communities utilizing form-based codes and the potential pitfalls associated with their use.

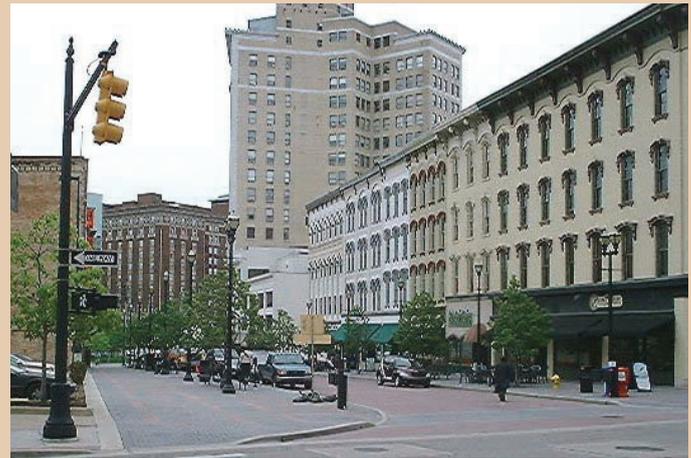
## Form-based codes – new approach to zoning

### FORM-BASED CODES AN EFFECTIVE TOOL FOR SMART GROWTH

As part of Smart Growth strategies, communities are examining development regulations to determine the extent to which the existing regulations may be posing an obstacle to Smart Growth. A great deal of attention is paid towards how development regulations have shaped our communities.

An evaluation of development trends and the zoning requirements of many communities identified serious problems associated with uncontrolled urban sprawl and the loss of community character in suburban communities. In many instances, conventional zoning regulations are the major contributors towards creating the sprawling, automobile-oriented environment that dominates many Michigan communities.

Zoning was created in the early 20th century as a response to problems associated with overcrowding in central cities and the intrusion of heavy industry into retail and residential areas. Developed in the later years of the industrial revolution, zoning sought



**Communities such as Grand Rapids are using form-based codes to document the urban fabric of their community and develop regulations that ensure that the most valuable qualities of the community are not only retained, but that new development fits into the character of the neighborhood, as well.**

to address these problems through separating incompatible uses and limiting residential density. However, the evolution of zoning in concert with rapid suburbanization has had the effect of dispersing suburban development over large areas of land and creating a host of problems such as loss of farmland, increased environmental impacts, greater auto-dependency, inefficient provision of public services, and loss of community character within the suburbs. While there is a resurgence of interest in older, more traditional urban communities, existing zoning regulations make redevelopment of urban communities more difficult by applying suburban zoning standards.



**A new urbanist development in Beverly Hills, Michigan includes traditional homes on small lots and pedestrian-oriented streetscape.**

Larger setbacks and excessive parking requirements make many cherished urban buildings and spaces nonconforming.

Form-based codes focus land use regulation towards creating more livable communities. The approach uses traditional community character to create and maintain a more human-scale environment. Unlike conventional zoning that focuses on separating land uses, form-based code focuses on building form as it relates to streetscape and adjacent uses. Form-based codes allow for a mixture of land uses based upon the context of building form. As a result, compatibility of uses is achieved through design and orientation, instead of strict land use separation. Where conventional zoning focuses on use and development of an individual lot, form-based codes focus on the role that individual buildings serve in shaping the public streetscape. Form-based codes rely on design concepts and patterns intended to preserve the assets of a community, creating more livable environments and spaces.

### **PROBLEMS WITH EUCLIDEAN ZONING**

The conventional form of zoning currently used throughout Michigan and the United States is what is commonly referred to as Euclidean

zoning. This name is derived from the 1926 United States Supreme Court decision in *Euclid v. Ambler Realty Co.* (272 U.S. 365) to uphold the constitutional validity of zoning. Euclidean zoning has been in place in Michigan since 1921 with the City and Village Zoning Act, Public Act 207 of 1921. Enabling legislation for townships and counties soon followed in 1943.

When the city of Detroit adopted its first zoning ordinance in 1920, the city sought to address different problems than those of today. In 1920, overcrowded tenement housing and the intrusion of heavy industrial uses into commercial and light industrial areas created serious public health and welfare problems. These problems are at the root of land use separation and density limits which are the core of virtually all zoning ordinances today.

Michigan communities have experienced many changes over the past 80 years. With this, a new set of challenges in how to regulate development resurfaces. Instead of concerns with overcrowding in cities, the focus is now on the negative impacts that uncontrolled sprawl has on the landscape of Michigan. And while the need to separate housing from heavy industry is still a valid concern, planners are now concerned with use-segregated

suburbs, where it is not possible to walk to the corner store or for children to walk to school.

The New Urbanism movement (1980 to present) has attracted a great deal of interest in re-creating walkable, mixed-use neighborhoods. As an outgrowth of this movement, form-based codes are the latest technique to re-examine the underlying zoning principle of separating uses and instead provide new means to develop vibrant mix-use communities. This is accomplished by placing a strong focus on the creation of proper urban form, wherein a mixture of uses can flourish.

### **DESIGN STANDARDS AND OTHER ATTEMPTS TO IMPROVE LAND USE REGULATION**

In response to the limitation of Euclidean zoning, a number of zoning techniques have been created with varied levels of success. These include mixed-use planned unit developments, cluster development, performance zoning, and design standards.

Planned unit developments (PUD) have been used for many years as an effective means of developing coordinated larger sites. (The first evidence of a PUD was created in 1949 in Prince Georges County, Maryland.) However, in many instances, what is intended to be a “mixed-use” development actually ends up being “multiple-use,” where there are separate and distinct areas of land uses that are not truly integrated into a mixed-use development. The other limitation of a PUD is that it is designed primarily for the development of larger sites, and with few exceptions, is not well suited for use on individual lots in an urban environment.

Clustered open space developments have had success in preserving open space and natural features. This type of development tends to offer recreational amenities not available in conventional subdivisions. While open space developments are a significant improvement



**Design standards can improve the appearance of the building and site landscaping, but are not effective in changing the underlying form.**

from conventional zoning, the developments still tend to be separated, single-use tracts of land.

Many communities have adopted design standards in a variety of forms. Some have adopted separate design guidelines or relied on the guidelines contained within the master plan. However, recent court decisions have held that a community cannot enforce requirements that are not specified in the ordinance.

Instead of guidelines, design standards for architectural and landscaping requirements are now becoming more common place within zoning ordinances. Some communities have adopted architectural regulations that require use of high-quality building materials. Others include discretionary standards whose result can be unpredictable and run the risk of inconsistent application. While these design standards have been effective in improving the appearance of buildings and landscaping, the standards fail to create meaningful change in the urban form - the end result is usually aesthetically-pleasing sprawl.

### **PRINCIPLES ASSOCIATED WITH FORM-BASED CODES**

The Form-Based Codes Institute defines form-based codes as “[a] method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm by controlling physical form primarily, and land uses secondarily.” Form-based codes go beyond conventional zoning

by addressing the relationship of the building to the streetscape and the proper relationship between buildings in order to define a desired urban form.

First and foremost, form-based codes are place-based. The codes are adapted to fit the unique characteristics of a community and intended to require that new development fit within the context of the existing community and reinforce a unique sense of place.

Next, form-based codes allow for the unique ecology of a community by permitting a mixture of uses. The codes reflect the importance of the relationship between various uses

and building types to one-another, as part of an integral neighborhood and overall community.

Form-based codes are purposeful and not reactive. Conventional zoning tends to be reactive in that it restricts and focuses on preventing development that would be damaging to neighboring properties or the community (i.e. zoning tells you what you cannot do). Form-based codes, on the other hand, document the desired form of development and prescribe building form requirements to achieve the desired community vision.

Form-based codes connect the urban form and land use by providing for specific building types that are suited for the appropriate land use. They also relate the use and building type to the streetscape to comprehensively address the desired urban form for the neighborhood.

Form-based codes provide for development that is compact, mixed-use, and pedestrian friendly to create livable neighborhoods and healthy vibrant communities.



**Farmington has adopted a form-based code as part of the central business district that reflects the traditional urban fabric that the community values.**





And finally, form-based codes are graphic and designed to be easy to use and understand.

### KEY DIFFERENCES BETWEEN CONVENTIONAL ZONING AND FORM-BASED CODES

1. Conventional zoning is use-based, with a community divided into zoning districts which segregate land uses. Form-based codes de-emphasize use and divide a community into neighborhoods or specific street corridors, that have a distinct and consistent character, while allowing a mixture of compatible uses.
2. Conventional zoning attempts to create uniformity throughout a district by applying uniform intensity parameters such as setback, height, density, and floor area ratios. Form-based codes embrace diversity in neighborhoods by reflecting different standards for different types of buildings. Because use and building type are tied together, the standards ensure the building form relates properly to the streetscape and adjacent uses.
3. Where conventional zoning focuses on use and dimensional requirements, form-based codes focus more on the building form and how it relates to the public streetscape. In order to define the streetscape, form-based codes often prescribe build-to-lines where buildings are required to be set a specific distance from the front



**Example of a mixed-use building with retail on the first floor and residential on the upper floors. Specific design elements for retail along the sidewalk include window articulation and treatment at the corner.**

lot line. Conventional zoning uses minimum setbacks to create building envelopes; however, the ultimate location and form of the building within the envelope is unpredictable. As a result, conventional zoning has a primary focus on the lot and pays little to no attention to the streetscape. Form-based codes take a more holistic approach by considering the building form as it relates to the streetscape.

4. Conventional zoning has limited ability to effect change, as it tends to prohibit development that is determined to be inappropriate. Form-based codes are more

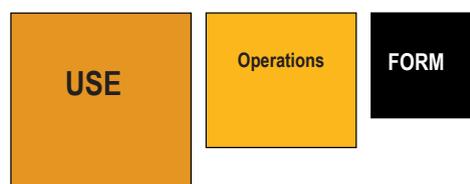
prescriptive and do a better job of describing the desired urban form. The result is the development of a neighborhood that encourages pedestrian activity, social interaction, and local investment.

### WHAT IS REGULATED

An underlying premise of form-based codes is that the public realm (i.e. the streetscape) is defined by the buildings that line it. Because of this, building placement and site orientation are paramount in the form-based code. The front building line location is based upon the type of street frontage. In a traditional downtown setting, there would be a “zero front lot line” or “build-to” requirement with all parking required to be at the rear of the building. In a residential neighborhood, there would be a requirement that the front of a residence be placed at a specific setback from the front lot line.

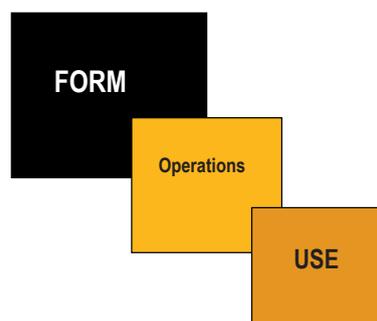
Once the streetscape has been defined by the building placement, the building elements can be considered to ensure that the building relates properly to the streetscape and adjacent buildings. In a business district, this would include requirements for doors and windows

#### Conventional Zoning



**Focused on use**

#### Form-Based Codes



**More focus on design and form**





along the sidewalk, window articulation on upper floors, building expression lines, and other details such as cornices. In residential areas these may be requirements for front porches or a limitation on front-loaded garages.

While uses are secondary to building form, they are nonetheless still important. Similar to a conventional zoning ordinance, different uses are allowed in each zone or district. Form-based codes allow a greater mixture of uses, but tie the use to the required building form. Unlike most conventional zoning ordinances, form-based codes also regulate use on the vertical plane. In a downtown setting, there may be a requirement for retail uses on the first floor and an allowance for residential or office on upper floors. There may also be a requirement along a downtown “Main Street” for mandatory retail frontages on the first floor to create a strong synergy between retail uses and an interesting environment for shoppers.

Form-based codes also contain regulations for accessory structures and uses. This includes specific requirements for the placement and design of parking lots. Other elements such as accessory buildings, loading areas, waste receptacles, screening walls, landscaping, and lighting are also addressed.

Another major improvement in the form-based code approach is that it goes beyond just regulating the site, by tying together the site and the public realm (i.e. the streetscape). Building regulations relate to design requirements for streets, sidewalks, on-street parking, street trees, and public spaces such as plazas.

An important aspect of a form-based code is that all of the regulations be tied together. The use is tied directly to the building type. The building type in-turn dictates form and building elements. The building form also relates to the street frontage, tying all of the elements together.

## HOW FORM-BASED CODES ARE STRUCTURED

The form-based code is based upon a regulating plan. A regulating plan is analogous with and functions similarly to a zoning map, except that it provides a greater amount of specificity to the street types, block dimensions, and building lines. Regulating plans may also indicate the locations for parks, squares, and plazas. For downtown shopping districts, the regulatory plan may indicate a mandatory retail frontage.

The zone on the regulating plan permits specific uses and corresponding building types. Building types may include single family dwellings, townhouses, live-work units, retail buildings, and others. The underlying principle is that the use, building, and street are interrelated.

Based upon the zone and the building type proposed, there are specific placement and building envelope requirements. These graphically depict building lines, setbacks, building height, and parking lot location. These requirements can be compared to the schedule of area and bulk requirements in a conventional zoning ordinance, except that they rely more on graphics to depict requirements and tend to be more prescriptive (e.g., building lines state exactly where the front of the building is required to be placed, instead of stating minimum setbacks). Building height is often defined in both minimum and maximum measurements to ensure that the building is tall enough to define the streetscape, but not so tall that they overwhelm other buildings.

Building elements are required relative to the type of building proposed. These include standards for building materials, doors and windows, building expression lines, front porches, etc. Note that most form-based codes do not regulate architecture – if the building has the proper form, then the architectural style of the building is less important. However, it may be appropriate to include architectural regulations in a

## POTENTIAL PITFALLS WITH FORM-BASED CODES

While form-based codes are effective tools that can help realize a community's vision, they are not a panacea that will cure all problems. There are some limitations of form-based codes and some problems that the codes may present to local communities:

Form-based codes tend to cost two to four times that of a conventional zoning ordinance. This is because of the upfront effort required to complete a detailed inventory of the community's existing urban form, the additional public involvement, and design work that goes into creating the regulating plan and the code.

Form-based codes require an illustrative regulating plan that is often based upon some form of urban design plan. This type of plan tends to be more involved than a zoning map.

Since Michigan streets are often regulated by separate authorities, there may be limited ability for a form-based code to regulate existing public streets. This may be more of a problem in townships, where all of the roads fall under the jurisdiction of the road commission, and less of a problem in cities that control their own city streets.

Form-based codes are prescriptive and very rigid, which may be viewed by developers as a limitation on what they can do with their property and a limitation on an architect's creativity.

There is a lack of specific enabling legislation as the Michigan Zoning Enabling Act (Public Act 110 of 2006) does not specifically provide for form-based codes. However, these types of codes are being developed throughout the United States and in other states, without specific enabling legislation.

A criticism of new-urbanism (which form-based codes are closely tied to) is that it is not environmentally sensitive; however, by developing more compact communities, the amount of land consumed by urban sprawl and dependence on the automobile is reduced. And unlike much of the new-urbanist developments that are “new towns,” advocates of form-based codes have used form-based codes more as a tool to facilitate infill and redevelopment within existing urban communities.





## How do form-based codes work in the real world?

Form-based codes have been adopted by communities throughout the country. Some applications in Michigan are as follows:

*Downtown Farmington:* As part of the City of Farmington's Downtown Development Plan, there is a detailed urban design plan that includes specific downtown design standards. The city wanted to promote redevelopment within the existing downtown while ensuring that the zoning regulations would be reflective of the existing community character and the recommendations of the plan.

A form-based code was prepared for the Downtown Zoning District to encourage redevelopment that embraces the historic character of Farmington, including traditional storefronts and a pedestrian scale environment. The form-based code requires buildings be built to the front lot line and parking lots be located in the rear. In order to maintain a well-defined streetscape, maximum and minimum building heights are included. Detailed building design standards to ensure that buildings relate properly to the streetscape at a pedestrian scale are included. Not only does the ordinance permit a vertical mixture of uses, but it builds in incentives to encourage mixed-use developments.

*Genoa Town Center:* As part of its master plan, Genoa Township identified a location for a new Genoa Town Center. The new town center location was centered on one



**A form-based code was developed for Downtown Farmington to encourage infill development while preserving the traditional pedestrian-friendly character of the city.**

of the few remaining large vacant areas along the Grand River Avenue corridor between Brighton and Howell. The township wanted to see a high quality, mixed-use development for this site that would create a new town center and also serve as a catalyst for redevelopment of the older commercial properties in the immediate area. As part of the master plan process, the township developed a detailed urban design plan for the new town center area.

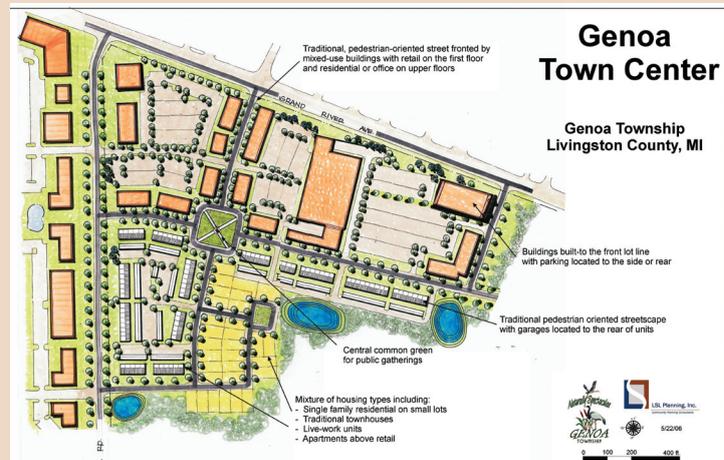
The Genoa Town Center is planned to become a mixed-use town center with local businesses, neighborhood service establishments, and traditional residential neighborhoods. Residential uses will provide a variety of housing types including apartments on upper floors above commercial uses, traditional townhouses, and single family homes on smaller lots. This area will be integrated into a pedestrian-friendly, walkable area with sidewalks connecting all uses and community parks and plazas.

To implement the Genoa Town Center, a form-based code overlay zoning district was adopted that requires all new development to follow strict requirements for a more traditional form of development that is more characteristic of a small town. The overlay zone not only allows for a mixture of uses, but has incentives to encourage truly integrated mixed-use development. The overlay zone includes building placement requirements that create traditional, pedestrian-friendly streetscapes and reduce the dominance of the automobile. It also includes detailed design standards for buildings, streetscapes, and public open spaces.

*Grand Rapids:* The City of Grand Rapids is nearing completion of an ambitious project to convert its 1967 zoning ordinance to a modern form-based code. It was clear that simply updating the original ordinance would not further the goals of the city's new Master Plan: a Plan that emphasizes neighborhood preservation while transforming the landscape

in critical areas.

An extensive public outreach effort revealed the desire of neighborhood groups, business associations, and others, to develop flexible, user-friendly land use regulations. Accordingly, the code includes a number of unique elements: increased use of administrative approvals, flexible nonconforming use and building regulations,



and incentives for quality design and development.

The language of form-based codes is developed with an eye toward the specific physical plan. This includes a broad range of regulations that encompass building alignment toward the street (setbacks, building orientation), spaces between buildings (side setbacks, separation between disparate uses), and heights, each of which can be described in ranges of acceptable values.

This effort represents the most significant attempt to introduce form-based codes for a city the size of Grand Rapids in the state of Michigan, and in much of the country as well.

### IS A FORM-BASED CODE RIGHT FOR YOUR COMMUNITY?

Form-based codes can be an effective tool that can be used in most communities. Some communities are appropriate for a community-wide form-based code, while others should utilize this new technique for certain subareas. Most importantly, the community must have a commitment to create a better place and undergo the process of gaining consensus on the desired urban form of the community. Form-based codes can be an effective tool in





form-based code for a historic district.

Because building form and streetscape are interrelated, form-based codes include requirements for the streetscape, such as on-street parking, sidewalk width, and street trees.

Form-based codes also include many of the other regulations of conventional zoning ordinances such as definitions, administrative procedures, zoning board of appeals, nonconforming, etc.

### HOW APPROVALS ARE PROCESSED

Because the regulating plan sets forth detailed and predictable building form requirements, approvals that are in accordance with the regulating plan can be approved administratively. This is possible because the unpredictability and greater discretion typically involved with conventional zoning does not exist with form-based codes. The idea is that if a developer is willing to follow all of the detailed requirements of the regulating plan and the form-based code, there should be little, if any, room for discretion, and the approval should be handled administratively. However, if the developer wants to deviate, then approval is required before the planning commission. Essentially, form-based codes make it easy to do the right thing, and harder to deviate from the code and regulating plan.

#### GENOA TOWNSHIP ZONING ORDINANCE

9.04.03 **Neighborhood Street Frontage.** Sites with frontage along Neighborhood Streets shall meet the following dimensional requirements:

<b>Lot Area/Density</b>	<b>Single family:</b> Minimum 5,000 square foot lot area; minimum 4,500 square feet for lots with rear alley. <b>Townhouses:</b> Up to 14 units per acre permitted-by-right; the Township Board may grant special landuse approval for up to 28 units per acre.	<p><b>Single family residential placement</b></p>
<b>Lot Width</b>	<b>Single family:</b> Minimum 50-foot lot width; minimum 45 foot lot width for lots with driveway access to a rear alley. <b>Townhouses:</b> No minimum.	
<b>Front Yard Requirements</b>	<b>Single family:</b> Minimum 20-foot front yard setback. <b>Townhouses:</b> Minimum 5-foot front yard setback.	
<b>Building length</b>	Maximum 180 feet.	
<b>Side Yard</b>	<b>Single family:</b> Minimum 5-foot side yard setback with a total of 15 feet on both sides; a total of 10 feet on both sides where garage access is from a rear alley. <b>Townhouses:</b> No side yard between units. Minimum 15-foot setback from single family lot and 15 foot spacing between groups of buildings.	<p><b>Townhouse building placement</b></p>
<b>Rear Yard</b>	Minimum 25-foot rear yard setback for principal buildings.	
<b>Building Height</b>	Minimum 2 stories. Maximum 3 stories – not including ½ stories. Maximum 35-foot building height.	
<b>Accessory Buildings</b>	Detached garages and other accessory buildings shall be located in the rear yard only and shall be setback a minimum of 3 feet from the rear and side lot lines. Attached garages shall be permitted; provided the garage is setback at least 5 feet behind the front building line of the living portion of the dwelling and the garage wall facing the street is less than 50% of the total length of the street-facing building façade. Accessory buildings shall be subject to the regulations of section 11.04; except accessory buildings may be up to 2 stories, and 20 feet in height and may include an accessory apartment in the second floor.	
<b>Parking Lot Location</b>	On-street parking shall be permitted and may be credited towards meeting off-street parking requirements. Parking shall be in the side or rear yard. For single family residential, parking shall be permitted in a front yard driveway; provided the garage does not project into the front yard.	

Genoa Town Center Overlay District

9-9

Because the regulating plan and form-based code are so detailed, the code must also anticipate situations that don't fit requirements or where unique development forms are proposed. Typically, a form-based code can allow for three levels of departure. Administrative departures would be minor in nature and can be approved as part of the administrative approval process. The authority for administrative departures needs to be specifically spelled out in the code, such as allowing the planning director to substitute landscaping in place of a screening wall. Major departures that deviate from the regulating plan would require approval by the planning commission, such as allowing a front façade that does not meet the building design requirements. This could be evaluated by the planning commission based upon a set of standards that relate to the regulatory intent. A third level of deviation should also be built into the code that requires a variance from the zoning board of appeals, such as departures from the build-to line or exceeding height

limits. The variances would have to be reviewed based upon the standard tests of practical difficulty.

### PROCESS IN DEVELOPING A FORM-BASED CODE

When embarking on a significant change in how a community regulates development, the first step is to have a commitment to creating better places. This should go beyond just a desire for change - the desires of the community should be articulated through the master plan or other document, such as a downtown plan, so that there is an underlying basis to move forward.

A determination needs to be made on the type of code desired and the geographic area to be covered. The form-based code could be integrated into a community-wide ordinance, or perhaps applied to a specific corridor, neighborhood, or business district.

Next, there needs to be an inventory and analysis of existing conditions to document the existing "forms" of





the community. This inventory can be fairly labor intensive and involves detailed analysis of lot widths, setbacks, building heights, etc. With a good understanding of the existing “forms” of the community, a public process should then be conducted to gain a consensus on the existing community quality that should be maintained or new ones to be achieved. This is often done through a design charrette or workshop.

From the inventory, analysis, and public process, detailed urban standards are developed for features such as streets, blocks, building placement, and land use. Building form standards will also be developed for the various building types within the community. These standards are then developed into an ordinance and applied to a regulating plan.

### APPLICATIONS OF FORM-BASED CODE

Form-based codes can be applied to a variety of geographic areas, from a specific subarea, such as a downtown, to the entire community. Form-based codes can also be used as tools to preserve the character

of an area or as mechanisms of change to transform an area.

The most common application of form-based codes has been to subareas. The codes are used in existing downtowns and historic districts in order to preserve and enhance the traditional character. They are also used to preserve the character of specific neighborhoods and insure that new infill development is compatible with existing homes. Additionally, they are being used as effective tools to transform outdated strip commercial corridors into new town centers.

While form-based codes have been applied most often to specific subareas, more communities are looking to adopt form-based codes on a community-wide basis. National experts in form-based code have recognized that a pure form-based approach is not going to be the best application in all areas of a community - there will still need to be zoning districts for industrial uses such as truck terminals, foundries, and

hazardous uses. There may also be areas within the community that are more appropriate for automobile-oriented uses such as dealerships and fast-food restaurants. For this reason, community-wide form-based codes are going to be a hybrid, with some areas regulated by form-based zoning districts and other areas by more conventional zoning districts.

## Conclusion

Form-based codes are land development regulatory tools that places primary emphasis on the physical form of the built environment with the end goal of producing a specific type of ‘place.’ The codes assert more control over a community’s form and lead to improvements in the way the community functions. For more information on form-based codes visit [www.formbasedcodes.org](http://www.formbasedcodes.org).

*By Jeffrey R. Purdy, AICP, Partner at LSL Planning, Inc.*

## SmartGrowthTactics

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A photograph of a wooden fence made of vertical posts, set in a green grassy field under a blue sky with white clouds.

# Not in my backyard Practical tips for handling difficult **zoning decisions**

It's seven o'clock—time for the township board's regular meeting to begin. But unlike the typical meeting, the hall is packed with residents who oppose a zoning application. Perhaps the applicant is planning a wind farm or gravel mining operation. The local news has brought TV cameras, and everyone who opposes the application wants a chance to address the township board.

With controversial land uses on the rise, townships are increasingly facing public scrutiny, media attention and crowded meetings as they decide how to handle zoning requests. Is your township ready to handle such controversial decisions? This article gives practical advice to townships making these high-stakes, highly publicized decisions.

### **What can townships regulate?**

Although townships have broad powers to enact and enforce zoning regulations, some land uses are beyond the control of local government because they are preempted by state or federal law. Areas of regulation that are generally preempted include telecommunications, "fracking" (drilling for gas or oil exploration), cable services, and restricting obscene materials.

Even if an area is not preempted, a land use issue can still be impacted by state or federal law. For example, a township's regulation of medical marijuana must be guided by the ever-changing landscape of Michigan law. Similarly, urban farming is affected by both state law and administrative regulations. So when an unusual land use request is made, the township should first ensure that it has legal authority to regulate that land use.

### **Which land uses might be controversial?**

Michigan townships are seeing a rise in several controversial land uses:

- **Urban farming.** A property owner in a residential

zoning district complains that her neighbor is keeping chickens in his yard and selling the eggs.

- **Medical marijuana.** A resident applies for a business permit to operate a medical marijuana dispensary on Main Street.
- **Wind energy.** Out-of-state developers purchase vacant land and propose a wind farm.
- **Mining.** An applicant wants to use property in the township for a gravel mine.
- **Other intense uses.** Composting facilities, truck stops, shooting ranges, race tracks, and large industrial or commercial operations may also bring public attention.

### What procedures should be in place?

Townships should have procedures in place before controversial zoning issues arise. Can you answer “yes” to these questions?

1. *Do you understand the law?* Be familiar with substantive zoning law, local “hot topics,” your township’s zoning ordinance, and state and federal law.
2. *Have you updated your ordinances as the law changes?* Pay attention to changes in the law and amend the township’s zoning ordinance as necessary. For example, an ordinance banning land uses “contrary to federal law” will not be effective to ban the use of medical marijuana, according to recent Michigan Supreme Court case law, and may need to be amended.
3. *Have you established a fee schedule for zoning requests?* Handling certain zoning requests can be expensive. The township may be required to hold special meetings and hire experts. Staff will need extra time to handle Freedom of Information Act (FOIA) requests. Make sure your fee schedules are up-to-date, allowing you to recoup expenses as permitted.
4. *Do you have an alternative meeting location?* Unpopular or controversial requests tend to increase the amount of people who attend meetings and want to comment. If your township hall is not adequate to accommodate large groups, you might consider arranging alternative meeting locations as the law allows.
5. *Do you have a “short list” of experts?* Many zoning requests involve complicated issues for which a township should strongly consider retaining outside experts—such as a planner, engineer, attorney, hydro-geologist, or other specialists. Consider establishing a “short list” of experts ready upon receipt of a controversial application.

### Where can townships go wrong?

When the township is facing large crowds, public scrutiny and even media attention, it is especially important to ensure that the Open Meetings Act (OMA) and Freedom of Information Act are followed. To protect your township, be sure to avoid the following common mistakes:

#### Common OMA mistakes

**Mistake No. 1:** Having a policy that limits the total time for public comment. For example, a policy that provides that the total time for public comment will last a half-hour maximum will likely violate the OMA.

*Why is that a mistake?* All persons in attendance at a public meeting have the right to address the public body.

*Remedy:* Have the board develop a policy on public comment that covers time limits; whether the speaker must give his/her name and address; and other reasonable rules.

**Mistake No. 2:** Making people who attend the meeting turn off a video camera or tape recorder.

*Why is that a mistake?* The right to attend a meeting of a public body includes the right to tape record, videotape and broadcast the public proceedings via live radio and television.

*Remedy:* Allow people to record, even if the person is a stenographer.

**Mistake No. 3:** Violating the OMA by using the “reply to all” feature on email.

*Why is that a mistake?* A board member may be intentionally violating the OMA by “deliberating” over email with a quorum of board members.

*Remedy:* Enact a policy addressing this issue. Often, the policy provides that email should be used for the distribution of material. Even when the email is for distribution only, members should be blind copied so the “reply to all” function is not readily available.

#### Common FOIA mistakes

**Mistake No. 1:** Applying the requirements of the FOIA only when the request specifically references the FOIA or the requester uses the public body’s specific FOIA form.

*Remedy:* Err on the side of applying the FOIA to any written request, even if it is an informal email or fax.

**Mistake No. 2:** Not turning over “public records” on an official’s personal computer.

*Remedy:* Ensure that all officials understand that the definition of “public record” may include documents on a home computer if the official uses that computer for business. Officials should set up a “public use” email account to separate “official” business from personal business.

**Mistake No. 3:** Requiring a requester to inspect records instead of providing copies.

*Remedy:* Currently, the public body does not have the choice; the requester makes the choice.

### Top 10 tips to avoid getting sued

Although it is impossible to completely eliminate the chance of litigation, there are some ways to reduce the likelihood that an aggrieved applicant or neighboring property owner will successfully challenge your township’s decision.

1. **Have a plan, and follow the plan.** The master plan is an essential foundation for any zoning ordinance. Also remember that the master plan should be reviewed and updated periodically.

# business solutions

2. **Rely on your experts.** Pay attention to your planning and legal advice. Good experts are essential to defending your zoning decision.
3. **Follow proper procedures.** Lawful notices and hearings are essential to the validity of zoning decisions.
4. **Know your statutory authority.** The Michigan Zoning Enabling Act is the source of your zoning authority. The conditions and limitations imposed by the act are mandatory.
5. **Honor a public purpose.** A zoning decision is subject to attack if it does not reasonably promote a legitimate public purpose.
6. **Make clear findings.** Don't make the court search for reasons to uphold the township's zoning decision. Include those reasons in your written findings.
7. **Be reasonable.** Make sure that every parcel in the township has at least one reasonable use.
8. **Do not take, and do not exclude.** Analyze your zoning decisions to be sure that the economic impact on the landowner is sufficiently justified by a substantial and legitimate public interest. Also, make sure that the zoning ordinance text and map provide an appropriate location for all types of land uses.
9. **Avoid conflicts of interest.** The perception of fairness in the zoning process is undermined by perceived conflicts of interest.
10. **Agree to disagree with one another.** Township board members can disagree without being disagreeable and without undermining one another's credibility or integrity. A cohesive, united board will withstand challenges better than a board divided by vendettas and animosity. With these tips in hand, your township can successfully navigate the choppy waters of difficult zoning decisions.



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Foster, Swift, Collins & Smith, PC is an MTA Allied Service Provider at the Leadership Circle level. Turn to page 2 for more information on Township Allied Service Providers.



*What are Allied Service Providers?*

**MTA Allied Service Providers are *your* personal cheerleaders:**

They are retail and service professionals who have made real investments in *your success* as a leader in your community.



# NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting February 4, 2015

## 1. CALL TO ORDER

The meeting was called to order by Chair Marlene Chockley at 7:06 P.M. at 8350 Main Street.

## 2. PLEDGE OF ALLEGIANCE

## 3. ROLL CALL AND DETERMINATION OF QUORUM

Roll call:

Janet Chick	Absent with notice
Marlene Chockley	Present
Brad Cousino	Present
Kenneth Dignan	Present
Sam Iaquinto	Absent
Larry Roman	Present
Mark Stanalajczo	Absent with notice

Also present:

Township Manager Howard Fink  
Planning Consultant Douglas Lewan,  
Carlisle/Wortman Associates  
Recording Secretary Lisa Lemble  
Members of the Community

## 4. APPROVAL OF AGENDA

Chockley postponed Item 10A, Discussion of Goals, until more members are presented to participate.

- **Motion:** Roman moved, Dignan supported, that the agenda be adopted as amended.  
**Motion carried 4—0 on a voice vote.**

## 5. FIRST CALL TO THE PUBLIC

**Proposed Master Plan Amendment.** Mike Cicchella, 7789 Sutton Road, said the open space ordinance was passed when he served as Supervisor, and rather than reducing minimum lot sizes he would prefer to cluster housing regulations used to increase density while preserving open space. He also urged preservation of wildlife corridors between developments as called for in the Master Plan which is supported by the community. He said when open space is gone it is gone forever, and open space and agriculture are what make Northfield Township so attractive.

Robin Wojtys, 6235 Hellner Road, said it is the obligation of the Planning Commission to support the vision of the majority of residents, not their own personal view. She said the front page of the Township's website describes the Township as being rural, yet only Chrystyna Kozak, 6449 Hellner Road, said the suggestion of a two acre minimum in addition to changing the Master Plan to allow a large residential development is a further chipping away of the rural character of the Township.

Ed Wojtys, 6235 Hellner Road, said it was disappointing to see the personal agendas that dominated the workshop session of the Township Board last week. He said people who cannot listen to diverse opinions should recuse themselves from such discussions. He said neither side of this argument can show objectively that the majority of the people in the Township support one view or another, and he suggested that some way of determining this undertaken. He said he could live with whatever the outcome is.

Craig Warburton, 450 W. Joy Road, said he is confused about what is going on with the proposed development in the Township. He said it has gone from a proposal by a developer to change the Master Plan to allow more development last year to a wide-ranging conversation at the Township Board meeting last year about what all of the Board members would like to see. He said the Master Plan—which is a very sound document—seems to be in the process of being thrown out.

## 6. CORRESPONDENCE

Dignan said he got three emails from people about the idea of changing the minimum lot size from five acres to two acres, and he questioned where that idea came from. Chockley said that was discussed at last week's Township Board meeting. Lewan said this came up during a broader discussion of potential areas of growth in the Township.

Chockley asked Lewan to comment on questions posed in a letter submitted to the Commission by David Gordon in January. Lewan summarized questions and commented, as follows:

- *What is the status of the sewer study and is the Master Plan Amendment going forward?* The sewer study is on-going and consideration of a Master Plan amendment is proceeding.

**Northfield Township Planning Commission  
Minutes of Regular Meeting  
Public Safety Building; 8350 Main Street  
February 4, 2015**

- *Will public workshops be held similar to those conducted when developing the current Master Plan?* When a direction is determined there may be public input opportunities through a survey or public workshops.
- *Will professional surveys be done?* That would require allocating funding which would require action by the Township Board.
- *What is the status of the studies that were requested of Biltmore Development and what effects would there be on people currently in those areas?* The Township is doing a sewer study, and there are no results yet from the developer on traffic and cost of services studies.
- *What safeguards could be put in place to protect the Township should the developer walk away?* Such risks can be mitigated by good development agreements and use of conditional zoning.
- *Is there a legitimate need for housing in Northfield Township?* Developers say there is a lack of developable vacant parcels in southeast Michigan, and if this proposal were not marketable the developer would not be pursuing it.

Lewan noted that no zoning request has been made by Biltmore.

## **7. REPORTS**

### **7A. Board of Trustees**

No report.

### **7B. ZBA**

The ZBA has not met since the last Planning Commission meeting.

### **7C. Staff Report**

Nothing to report.

### **7D. Planning Consultant**

Lewan reported that in response to a request from Mr. Stanalajczo he had prepared a chart of options for various densities in Township residential districts. He said a member of his staff will be preparing examples of each of these scenarios using a 100 acre sample parcel, and he hopes to have those at the next meeting. He said a study of development along the US-23 corridor from M-14 to Brighton is also being done.

## **8. PUBLIC HEARINGS**

None.

## **9. OLD BUSINESS**

### **9A. Amendments to the Manufactured Housing Community District.**

Lewan recalled that the biggest issue that came up at the last meeting concerned average mobile home lot size in Section 26.05(c). He said the language in the draft—which calls for an average lot size of 5,500 sq. ft.—is from the State, and changing that to require a 5,500 sq. ft. *minimum* would require re-submitting the language again to the State for review.

- **Motion:** Dignan moved, Roman supported, that the adoption of the Amendments to the Manufactured Housing Community District be recommended for approval to the Township Board.

**Motion carried 4—0 on a roll call vote.**

## **10. NEW BUSINESS**

### **10A. Discussion of Priorities and Projects for the Year.**

Postponed.

## **11. MINUTES**

### **January 21, 2015, Regular Meeting**

Chockley made four corrections.

- **Motion:** Dignan moved, Cousino supported, that the minutes of the January 21, 2015, regular meeting be approved as corrected, and to dispense with the reading. **Motion carried 6—0 on a voice vote.**

## **12. POLICY REVIEW & DISCUSSION**

None.

## **13. SECOND CALL TO THE PUBLIC**

Ed Wojtys asked why the sewer study is taking so long. Lewan said he is not involved in that. Fink said this is being performed by Tetra Tech. Chockley said it is not a simple matter because there are many issues to be considered, including capacity and legal issues with neighboring Townships. She said when it is done it will be posted on the Township website.

## **14. COMMENTS FROM THE COMMISSIONERS**

Dignan noted that the Pond Hockey Classic, which funds youth sports, will be held in the Township this weekend.

**15. ANNOUNCEMENT OF NEXT MEETING**

**February 18, 2015**, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location.

**16. ADJOURNMENT**

- ▶ **Motion:** Roman moved, Dignan supported, that the meeting be adjourned.  
**Motion carried 4—0 on a voice vote.**

The meeting was adjourned 7:51 P.M.

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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 \_\_\_\_\_, 2015.

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Marlene Chockley, Chair

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Mark Stanalajczo, Secretary

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