

**Peninsula Township Planning Commission
Special Meeting Minutes 7:00 PM
August 22, 2016**

Meeting called to order at 7:00 PM

Present: **Leak-Chair; Peters; Hornberger; Serocki; Couture**
Absent: **Wunsch** (excused)

Also present: *Michelle Reardon*, Director of Zoning and Planning; *Claire Schoolmaster*, Planning and Zoning Coordinator; *Peter Wendling*, Township Attorney and *Mary Ann Abbott*, Recording Secretary.

Approve Agenda

MOTION: Serocki/Couture to approve Agenda as amended

PASSED UNAN

Brief Citizens Comments- for items not on the Agenda

None

Conflict of Interest

Serocki declares she has a conflict of interest with SUP# 127-Vineyard Ridge.

Consent Agenda

a. Correspondence

MOTION: Hornberger/Serocki to approve the Consent Agenda as amended.

PASSED UNAN

Business

Serocki removes herself from the Commission and moves to the audience.

1. SUP#127 – Vineyard Ridge (discussion and potential recommendation)

Reardon reports that there are some supplements tonight that may be added to the original binder. This material included a traffic analysis, response to tree service request, letter and landscape renderings provided by Ken Schmidt, and environmental summary, a letter addressed to Reardon dated August 8th asking for interpretation, Density exhibit, Use by right preliminary site plan, typical slope stabilization. In addition there is an email from Jeremy Wiest of MDOT responding to the traffic analysis that was submitted, email from Harold Robbins, email from Brian Boals, Township Engineer stating he needs more information, Peninsula Fire department, and email from Dusty Christensen requesting that 8 items questioned be submitted and then two items submitted this evening an inquiry from Laura Serocki, a neighbor to the development and the Township Attorney response to Ms. Serocki's email.

Where we left this last time is that the Commission had more questions and wanted more information. This is not a public hearing. There is also a Finding of Fact, which was prepared by Reardon but not yet reviewed by the Township Attorney. This is an opportunity to ask questions that this new information has prompted. This is a special meeting that is being held now so that it would be delayed to September.

Peters brought up traffic survey and questions the reality of using the full standard deviation.

Dusty Christensen, Mansfield Land Consultant, representing applicant says that this development will be single-family detached development with residences marketed to a senior population. Most service providers will be private so there will be sole source providers that will eliminate some traffic. Based on the review of MDOT and Road Commission they did not have comments on how this figure was arrived. They are still fine with driveway locations, fine with the design of those driveways and fine with the additional traffic on their public roadways.

Peters from the Tree survey she questions why there is nothing after 2005. *Applicant* is showing historical tree growth and does have a current aerial photo here tonight. *Reardon* this is currently in packet. *Applicant* says they wanted to show that the onsite growth is first generational. As a part of that submission he wanted to reiterate that the intention is to have substantial and high level landscaping. It will be at entrance, along street and around each home. **Peters** also questions the planting of deciduous trees so close to the homes. *Applicant* we can move trees to make it ideal for each home site.

Rosi what is the percentage of the total property that will be cleared? *Applicant* if you look at the demolition plan it shows that the majority of the center of the site is being cleared. **Hornberger** Don't we have Planned Unit Developments' to preserve the natural character of the land you are developing? *Applicant* states the choice was made when we were developing this property to put the homes close together. There is not a lot of room for tree preservation in more compact development. To limit the impact we decided to preserve in the 90-foot buffer around the property.

Rosi who manages the vineyard? *Applicant* an outside company handled by the Condominium Association. **Rosi** will there be a sprinkler system? *Applicant* Yes entrance, around roadways and landscaping around the households. Irrigation is planned for the landscaping. *Wendling* Generally the condominium association will take over when a number of lots have been sold. Until then the developer is responsible.

Leak will you be considering an extra lane on Northbound Lane on Center Road. *Applicant* MDOT has looked at this and has accepted the proposed design. *Reardon* assumes that they will get a confirmation from the County Road Commission. She has spoke with Jeremy Wiest from MDOT. She asked specifically about the standard deviation and about the tapered design of the drive and would a turn lane be necessary. He is not suggesting any edits.

Rosi do you imagine that the residents will be using the roads to the north or south for their access to center road. *Applicant* I doubt it. Believes they will primarily enter and exit from Center Road.

Hornberger You are building in phases. What is your response to Chief Rittenhouse's concern about fire protection? *Applicant* We are willing to put in a temporary fire department turnaround as part of Phase 1. As Phase 2 is developed and the connection to Matheson is made the temporary turnaround goes away. *Reardon* This is one of the responses that we would want as a condition that would be required as part of the findings. *Wendling* That would have to be completed before you can move forward.

Rosi concerned that the environmental study is listed as a draft and not on letterhead. Is this a safe area in terms of the arsenic levels? *Applicant* Levels are such that the DEQ standards are easily met. Need to seed disturbed soils and covered them up. Intent is to comply with recommendations. *Reardon* Need to have this on letterhead and not on draft form.

Rosi The parking at the swimming pool, this is grass, how many spaces are allowed? *Applicant* this is something we asked for interpretation on. The swimming pool is not an institutional use so we do not have to comply with the two spaces per member. Grass is there as middle ground. There are 12 grass parking spaces. *Reardon* we have passed this letter of August 8th on. There are two different questions. The setback is 50 feet. Believes the site plan is in compliance. Number 2 has been sent to attorney. *Wendling* You still have a group of people who have private access to a pool in a development but it is likely that people will drive down there and park. If it is a thin line it might need to go to the ZBA. *Reardon* it is currently designed according to the parking standards. She thinks that this needs to be resolved and needs to be added to the list. They are trying to submit an aesthetically pleasing plan, but our requirements are that it has a smooth surface. We have to resolve what is required. *Applicant* would like to sit down and talk about this. *Reardon* is not comfortable saying they are out of compliance in this area.

Peter no sidewalks in this development. *Applicant* We have 26-foot wide roads that are intended for walking, biking and driving.

Hornberger No streetlights -no sidewalks-people walking on streets with no lights. Are you thinking this may be hazardous? *Applicant* with the lower traffic levels we do not think this is a concern.

Hornberger where are the mailboxes? *Applicant* Has not been determined yet will work with the US mail to determine this. **Hornberger** would the mailbox bank be considered part of the common area? *Reardon* if it is a bank of mailboxes it needs to be looked at. Individual need to be in building envelope and a bank of mailboxes may be allowed in common space. *Applicant* we will apply with all the mailbox service requirements. *Reardon* we will need to know the requirements of the US mail service. *Wendling* ultimately the US mail will call the shots and it will have to be determined.

Leak timbering the area has become a discussion. You will have to remove trees for development and grapes. *Applicant* Yes.

Couture we mentioned Laura's email. Did they get to Dusty? *Reardon* part of packet and will be forwarded to him.

Rosi looked at slope stabilization. A 1% -2% slope is pretty steep. Discussion occurred on stabilization and the mowing by services. *Applicant* Erosion control is pleased with this plan. However each home site will have to apply for an erosion control permit determination from their office. Individual homes will have to be permitted and comply.

Peters At one time there was a question of the storm retention area in the center and overflow. *Reardon* Engineer has said that there has not been enough information submitted.

Rosi Have you considered paths in the common area? *Applicant* No

Leak concerned with how homes are maintained. *Reardon* we need to see a clear delineation of Limited Common Element vs. General Common Elements. What is not covered is that this is envisioned a certain way but there is not an age restriction.

Wendling from Laura's email there are some interesting points. One item is whether there is a convertible area or you are going to withdraw from the project. It would be logical to request the developer to state in the master deed that the developer cannot withdraw undeveloped portions of land without an amendment to the sup to ensure compliance with Peninsula Township's Zoning Ordinance. This would prevent a situation where the land is suddenly withdrawn with units developed and the open space requirement suddenly in violation of the original SUP. It is a legitimate concern.

Applicant wanted to revisit the grading plan. There was a question of the storm water basin in relation to the adjacent homes. One of the requests that the Township Engineer requested was slopes and grading plans for each home plan. Each home site can be developed individually but we are willing to talk about finished floor elevations and drainage arrows but we cannot develop a finished plan. *Reardon* Other developments have provided. But maybe conversation can take place to find some common ground.

Rosi they are asking for a Special Use Permit so I pulled out the objectives: 1. Preserve natural character, open fields, stands of trees, steep slopes and similar natural assets. 2. Provide open space options 3. Encourage creative and imaginative approach to developing residential areas 4. To reduce development costs by bypassing natural obstacles 5. Encourage variety by providing a mixture of property types. *Applicant* There are two floor plans. **Rosi** the area between the houses is part of the open space and included in open space calculations. *Applicant* yes.

Peters has been focused on landscape plan and the space between the homes. *Applicant* not sure how this will be written but it will be maintained. Will be determined by the Condominium Board.

Reardon has a list of things that need to be submitted:

1. Phasing plan showing the necessary turnaround and emergency access per Chief Rittenhouse's request.
2. Environmental report to be completed and signed.
3. GT County Road Commission review of the traffic analysis.
4. USPS requirements for mail service and design of this element in conformance with the ordinance.
5. Engineering plans to GFA in sufficient detail to address the concerns in Brian's letter.

as well as confirming if hot tub will be seasonal and related safety requirements.

Serocki returns to her position on the Park Commission.

2. Competing Land Use Permits – Draft Ordinance Language (discussion)

Wendling submitted letter on August 10th.with suggested language. He would request a change on Item D. to read at the end of the sentence that says single ownership “ except for ZBA decisions needed on pending applications for other permits under this ordinance.”

Hornberger This is exactly what I have been looking for

Wendling Next step is a public hearing to add to the ordinance.

Peters you mentioned amending Police Power Ordinance. *Reardon* it is a Town Board decision, but we need direction from the Town Board to look into it further. She will ask Board to allow *Wendling* to look into it further to address any potential conflicts.

Citizen Comments

None

Board Comments

Peters At July 13th Joint meeting for Ethics the Town Board approved minutes. *Reardon* will get those to the Planning Commission and ZBA.

Couture thinks that Dusty did a nice job on the presentation of this project. There were four things he heard concerns about: Traffic, Environmental Issues, landscape, open space and buffering. He is still most concerned about traffic and is discouraged to MDOT response. A simple slow down or left turn lane may solve his concerns with this project.

Rosi questions that would the residents will be likely to cut through other neighborhoods. Is surprised that MDOT would not require a little more.

MOTION: Couture/Peters move to adjourn at 8:24PM.