

**Peninsula Township  
Planning Commission - Special Meeting  
November 30, 2016 - 7:00 pm  
Fire Station #2 - 8150 Center Rd.**

Meeting called to order at 7:04 p.m.

Present: **Couture, Serocki, Hornberger, Leak, Peters.**

Also present: Gordon Hayward, Peter Wendling, and Rachel Mavis (recording secretary)

Absent: **Wunsch**

**Approve Agenda**

September 19th minutes were previously approved - remove from agenda.

**Motion to approve amended agenda by Peters / Serocki.**

**Citizen comments**

none

**Conflict of interest**

Serocki - SUP 127. Will recuse at that point.

**Consent Agenda**

- a. Reports and Announcements
- b. Correspondence (as provided)
- c. Meeting Minutes

- October 17th 7:00 p.m. meeting. Page 3 - midway down page, drop one "said." Also, "ready for public hearing in December" rather than meet again. Page 4 - also passed the minutes along with adding comments. Add "motion to add comments and approve minutes" before "Peters / Wunsch. Motion passed." Halfway down - Serocki - 10% open space is public. Page 5 - 5th line at end, Bowers Harbor - "she" - replace with "Stegenga."

- October 17th page 3 "but NOT referred to as open space" (instead of "no")

- November 9th (special zoning) - First sentence should be implementation.

**Motion to approve consent agenda with those changes to minutes by Hornberger / Serocki. Motion passed.**

**Business**

- a. Master Plan Goals and Actions Implementation - Update Report

**Peters** - In packet is a one page report updating where committee is after 3 meetings. They are about 3/4 of the way through speaking about all of the actions. Haven't added notes from November 17th meeting yet. With one more meeting they'll be able to get through most of the other actions. She wants to have a discussion and will prepare something with a suggestion of where the priorities should be over the next couple of years - if it's something PC should do or if it should be done at town board level.

As the committee has begun talking about these things, they have noticed that more has already been done than was initially indicated. Getting through the zoning ordinance rewrite will also help make progress. In January they need to schedule another committee meeting to finish up the remaining sections.

**Hornberger:** Did we completely finish the winery discussions?

**Peters:** There's a further discussion to be had, but those conversations may be driven by the zoning rewrite, not master plan issues.

b. Baseline Environment Assessments - SUP, PUD, Subdivisions and Site Condominium

**Gordon Hayward** - submitted memo to PC and basic info about baseline environment assessments and steps to go through. Copies were also given to township board as an introduction to that process. The main item for tonight is that he's recommending that the PC consider asking township attorneys for recommendations regarding the following:

1. Should the Planning Commission propose an Ordinance Amendment making a BEA an application requirement for all PUDs, Subdivisions, and Site Condominiums.
2. Can we simply add BEA in the application check list by asking for a copy of a BEA if one exists?

**Wendling** - for a larger type of development, chemicals were often used in the orchards (arsenic), so there is a history of potential contamination on these sites from ag chemicals. He doesn't see a problem to have a baseline as part of the requirement for the app in order to protect health and wellness. It can definitely be justified. Other townships have that provision in their ordinance.

**Peters** - they're doing an ordinance change, rather than just part of the checklist?

**Wendling** - It can be done either way - the check list can be incorporated as part of the ordinance. It can be a required item you need to submit for a PUD / SUP. It can also be based on size of the development.

**Leak** - with what's going on with some parcels that are going to be developed, it certainly would have been a big help to have had a baseline so we're not wondering if there is an issue.

**Wendling** - yes, also gives you a piece of info to use in your decision making process.

**Hornberger** - as we do that, township engineer should weigh in on how large or small of a development.

**Wendling** - You may want to consider what the threshold earth movement would be, as you determine what size of development will require this. You don't want to add that expense to smaller developments, but for larger ones that will have a dramatic effect on the township, you'll want that.

**Hornberger** - we want to authorize the township planner to talk to the township engineer, figure out the smallest development this would be feasible for, and write something to bring back to us.

**Motion by Hornberger/Couture to authorize the township planner, in coordination with the township engineer, to prepare language for the ordinance adding a baseline env assessment to our ordinances dealing with PUD developments and SUPs and site condos and subdivisions. Motion passed.**

c. Consider appointments to a working committee to review McKenna Zoning Version Two

Hayward is asking for the PC to consider appointing a working committee of a less than majority so they can look at the second version of draft ordinance from McKenna. He talked to Patrick today about that and Patrick thought that would be helpful. They'd look at draft two and bring a full report back to PC. Preliminary final draft would follow if it was approved.

**Serocki** - Would we also go through covers that weren't covered in first draft? Hayward - yes. (add from recording) It's preliminary because if we involve the public, we need to be ready to respond to their suggestions. If major rewrites were necessary, McKenna would work on another rewrite.

They can have a committee of 3 - Couture, Serocki, and Peters volunteered. **Motion by Couture/Serocki that the PC form a working committee comprised of three members to meet and follow Gordon's plan to get back to committee. Motion passed.**

d. Consider Meeting Dates 2017 - Third Monday (February 27th posted and November)

February 27th, not the 20th (already changed).

**Motion by Hornberger/Peters to have regular PC meetings the 3rd Monday of each month, which the exception of a holiday. Motion passed.**

e. Consider appointment of a member to the Zoning Board of Appeals

**Hornberger** hesitates to appoint someone to ZBA until they have a full PC board. Can it be postponed?

Hayward - the December meeting for ZBA has been canceled. At the next PC meeting in December, hopefully township board will have appointed all PC meetings. New members can then appoint a member.

f. SUP #127 - Vineyard Ridge - Site Plan revision November 1, 2016.

Serocki recused herself.

Dusty Christensen - Mansfield Land Use Consultants, representing proposed Vineyard Ridge development. As discussed at Oct 17 meeting, some revisions have been made. From that meeting until now, no additional changes have been made.

Between September and October planning commission meetings, several conversations and collaborations were had. The biggest thing that came out of that were discussions about trails and pedestrian connectivity. They decided to modify the way that they were treating open space. Instead of 65% private open space, they are providing 10% public open space. Easements on west, south, and east perimeters will be allocated or future trail construction by the township. Also allocated additional right of way to MDOT so that they have better ability to undertake projects on Center Rd. They eliminated the section of road that went from Center to Matheson to alleviate the concern for cut-through traffic. They are here to answer questions if needed and to request a public hearing.

Hayward - you had asked about having the hearing in January. Dusty - yes. We'd like to have enough time to get all information correct and presented in a way that makes sense. They are hoping that the regular January meeting could be the date for the public hearing.

**Hornberger** - the regular meeting is 1/16. Is that pushing it? Dusty - believes that should work. Previously we were getting info in 2 weeks before the meetings.

**Peters** - back in September, we left things that I remember addressing with the engineer. There were a couple of things that the two of you were working out - sewer issues and drainage issues. Are we going to get that info next month or will it be available for January? Are we going to get a full packet available for the public for a public hearing, that has some of these extra things? What will be available for the public?

Dusty - my hope is that you will have an amendment of the full site plan (all engineering drawings) and all related documents. His hope is that as they work towards providing that info, they'll be able to address those issues as well. He had concerns about drainage issues - they have some ideas that they are working on to alleviate those issues. The other issue was the sewer. Where does it go from there - north or south? It seems that the preference of the township is for it to go south (original proposal was to go north).

**Hornberger** - you're planning to give us supplemental info for the book?

Dusty - either that or an entirely new packet in order to avoid confusion.

Hayward - a new packet would be more appropriate for tracking purposes. Would you have the engineer's reviews of those documents ready for December? if we get things in late, we play catch up with the findings. Dusty - We are hoping to have that ready.

**Peters** - you no longer have parking for the pool area, right? Dusty - correct. It's been removed from the plan. After some discussion prior to the October meeting, about the interpretation of parking standards, they came to a mutual conclusion that the uses of the clubhouse / pool weren't institutional uses that required off-street parking, so they eliminated it from the plan completely.

Hayward - there is a section in the zoning ordinance where you're able to have off-street parking, which allows the zoning administrator to make a determination of what the closest allowed use is. I've done that, so if you want to keep it in, the closest use is for visitors.

Dusty - we'd prefer to not add that in. Hayward - there is that option, so we can talk about that if you want.

**Leak** - could you outline where the trail will be?

Dusty - essentially the property boundary on west, south, and east lines - a 42' wide easement - has been marked for a future recreational trail. **Leak** - hard surface? Hayward - could be anything. Dusty - The initial language leaves that open - whatever the township wants to build the trail out of is fine. Wendling - because the ordinance states that the open space dedicated for public use is for park or recreational purposes, there are a few standards to be followed. This gives more control on the part of the township to determine the recreational part of the trail - it's more power for the township to make decisions on what those uses are.

**Leak** - the path will be open to walkers as well as bikers, right? Where would these citizens who aren't residents park? Dusty - we wouldn't set aside parking for them. This trail is a way to

provide pedestrian connectivity - it serves as a way for people to get around within the community. It's not a destination trail.

**Leak** - have you discussed with the county road commission about having a path along 37? Dusty - it's outside of that. **Couture** - they're not doing anything with it, they're just dedicating it. It is totally up to the township to put in a path. When you do the public hearing, make sure that's clear.

**Peters** - When I look at the map, on your east side, you come in off Center Road and you have a median and I see people being well behaved there. Near houses 25 and 26, there's a little bump out - are you taking the eastbound lane on the south side around that little bump out? Dusty - no, that just serves to keep their driveways close together. **Peters** - also, there's a roundabout on the left side. Are people going to go around the roundabout? Dusty - it's designed so that a vehicle can't feasibly avoid going around it. **Peters** - my only concern is that I've been in roundabouts and people misbehave. Or they're not landscaped and people drive over that. Dusty - we have designed what is called a lamb chop - it's an island that doesn't have straight edges. You can't cut that corner.

Dusty - our hope is that we'll have all info to you around the first of the year so that it will be ready for the January meeting. Hayward - we'll put it on the December meeting for an update as well. If there's anything that comes up as you're working with the engineer you can update us.

**Peters** - have we done what is necessary to have an escrow account here? Hayward - we're working on that with the township board and the treasurers office. **Peters** - has a note to herself from the October meeting to look into it and see if we need to do any authorization on that. Hayward - nothing that the PC needs to do outside of suggesting if you think one is necessary. **Leak** - thinks that if it is, it should be done in house. Wendling - object with escrow is that your costs are covered for the extra work. You can start off with a smaller escrow. Hayward - it's based on expected expense. **Peters** - I thought we were going to ask to do an escrow at this point. Wendling - you can make a recommendation at this point.

**Motion by Peters/ Hornberger to recommend an escrow (a reasonable amount to be determined by planner). Can be ratified by next meeting. Motion passed.**

g. Consider scheduling a December or January public hearing for SUP #127.

### **Citizen Comments**

Mark Nadolski - 10 McKinley Rd. Is the PC requiring any environmental studies on this project? If not, why not? **Peters / Wendling** - yes, they did a complete one.

Dusty - study performed was related to soil contaminants study from previous ag on this site... they fully intend to comply with all recommendations from that study. As far as soil erosion - they've also submitted plans to county. They've given them an agency review letter and have overall approved the project. Each individual home site will receive an erosion control permit. They've been working with regulatory agencies as closely as possible.

Mark - has the issue been brought up about the access off Center rd? It's a 55 mph zone and a blind spot. Last year he contacted the police about changing speed limit and dropping it to 45

down the peninsula - there are lots of driveways and turnoffs and blind spots. The township should be contacting them about the speed limit.

Hayward - we contacted MDOT about that and one suggestion was to hire someone to look at section and see what is necessary. Wending - it's a state highway, so township doesn't have concurrent jurisdiction. Mark - their conclusion was that there weren't enough accidents or deaths along that stretch to warrant changing the speed limit. If the township could get behind it, it would help. **Leak** - that was our first objection. We met with the county and the state and they were not very positive about doing anything about it. Wending - there's nothing harmful about having the township petition the state police to address the speed limit there.

Mark - if you're talking about health, safety, and welfare, you're going to have issues with that point. Also, I know the town board was holding interviews. **Hornberger** - Yes, **Leak** and I are leaving. Hayward - they are in the process right now. Dates aren't set, but interviews are being held on all the applicants.

**Peters** - we serve 3-year terms starting in September. Last September, Leak and Hornberger were appointed by the supervisor with the consent of the full town board. There was no supervisor at the point that they were being interviewed. It's in the bylaws of the PC that you can serve until you are replaced. They are serving until they are replaced.

Laura Serocki - 6942 Center Rd. - In the memo from Gordon on 11/21 regarding the trail... under 2c, it says the public shall not have access to the public trail until the trail is established. Just curious if the park board that they might have this new trail that they may have to work on. They have prepared a 5-year recreation plan... this won't be on their budget, so does this mean it won't happen for 5 years? Hayward - we won't have any land until the board approves this project. Serocki - in trespassing signs and fencing - is that also a cost that the park board has to incur? Hayward - yes. Serocki - In Long Lake, they put a moratorium on PUDs and aspects of open space because it was being used by developers and they were splitting up land. We should look at it if there's going to be a 10% public use and make sure the public can be using it. Hayward - in our ordinance, there are two standards - location is not in conflict with master plan; access to and characteristics of the open space is such that it is readily available to the public. The project has to meet those two standards and in our findings we have to make a recommendation. Serocki - when they did the trails in the Pelizzari natural area, they had volunteers come in. When you have wood chips and gravel, you incur cost.

### **Board Comments**

**Peters** - at the end of our October meeting, Serocki asked about the 6/23 minutes. Serocki and Hornberger found them. They are now up on the website. Hornberger had taken those minutes and sent them on to Michelle. There was still a copy on her computer.

Motion to adjourn by **Hornberger / Peters. Motion passed.**