
PITTSFIELD TOWNSHIP PLANNING COMMISSION MINUTES

Members Present: Edward Resha, Wilma Luna, Christina Lirones, Julie Griess, David Shepps.

Members Absent: Dennis Ward, Russell Banush.

Others Present: Jeffrey Brown, Harry Pianko, John Treter, Stephen O'Neil, Lee Brown, Tom Covert, R. Ilankamban, Jim Haeussler, Bruce McGlone, Pam Brown, Chester & Carol Bowling, Ethan Magusin, Gene Kraus, Rick Altschuler, Carus Anomanpolus, Ann Stevens, Mark Pascoe, Bill Wheeler, Planning Director Bruce E. Fowler, Associate Planner Paul Montagno, and Recording Secretary Laura Ford.

1.0 Call Meeting to Order at 7:30 p.m. / Determination of a Quorum.

Chairperson Lirones called the meeting to order at 7:30 p.m. A quorum was present.

2.0 Pledge of Allegiance

Chairperson Lirones led the Pledge of Allegiance.

3.0 Approval of Agenda

Motion by Commissioner Luna, supported by Commissioner Griess, to move Item 7.1 to follow Item 5.1 and Item 7.2 to follow Item 5.2.

MOTION CARRIED

4.0 Items from the Floor

None.

5.0 Public Hearings

5.1 WP 05-02 Kirtland Hills
[submitted for a wetland permit]

Associate Planner Paul Montagno reviewed the report from Environmental Consulting Technologies (ECT), the Township Wetland Consultant. He stated that the site is currently unoccupied and it consists of vegetation. He said that ECT conducted a site visit on April 29, 2005 and May 5, 2005 and found four (4) new wetlands that were not flagged. He said that there is also an area of wetland fill at the end of Regina Drive. He said that this was brought to the Township's attention by ECT, and it was noted as a wetland fill violation. He said that the onsite materials still need to be addressed. He said that he had thought that the applicant was going to mitigate the violation, even though it was not their violation. He said that adjustments are needed to the application.

Planner Montagno stated that there are four (4) lots where they are proposing to fill the area of wetland. He added that those wetlands are providing the hydrology for the northern wetlands, and that flow needs to be maintained. He said that the applicant is proposing to expand areas that are currently wetlands, and they will be enhancing or restoring the wetlands. He said that they have created slopes and berms that are not appropriate. He said that if those berms are flattened out they would provide the size of mitigation that would be needed. He said that the main points that the applicant needs to address are; revising the wetland survey to include the wetlands not previously flagged, address the fill issues at the end of Regina Court, account for the existing flow and if possible not affect the flow at all, and adjust the acreage for smaller wetlands fills that are included in the mitigation area.

Chairperson Lirones asked if Regina Drive is crossing a wetland.

Planner Montagno replied yes. He said that there should be some type of equalization culvert placed under the road.

Chairperson Lirones asked if the maximum number of units could have been eighty (80).

Planner Montagno replied yes.

Chairperson Lirones asked if the four (4) new wetlands are Michigan Department of Environmental Quality (MDEQ) regulated.

Planner Montagno replied yes, and the applicant has submitted an MDEQ application.

Tom Covert, Atwell-Hicks, Inc., stated that the new wetlands are not all new, they are wetlands adjustments to the wetland lines. He said that the violation noted for Regina Drive is common when you are the last site to develop. He said that you could get stockpiles of topsoil or refuse. He said that they would either be constructing the road with a permit or moving the road so that it will not impact the wetlands. He discussed the offsite tributary to wetlands A and E. He said that the Burnham Woods development to the north of this site proposed a temporary detention basin, although this does not currently exist. He added that they have an outlet with a head wall that is distributing water from their storm water management system to the northern boundary and coming to the creek on the Kirtland Hills site. He mentioned that the water is coming onto their site undetained. He said that their southern detention pond would provide storm water management and pipe work for the detention pond. He said that the detention pond has been oversized to handle the water flow.

Mr. Covert suggested that they meet with the Township wetland consultant and have them review the final site plan. He said that they have worked to minimize the impacts to the wetland buffers. He added that the wetland impacts generally occur along Ellsworth Road. He reviewed the hydrology for the site. He said that they would be revising the grading issues. He said that they would be putting a conservation easement over the wetland mitigation areas, and the rules and guidelines would be in the master deed and bylaws.

Chairperson Lirones asked Mr. Covert which areas would be in the conservation easement.

Mr. Covert showed the areas that would be included in the conservation easement.

Chairperson Lirones opened the public hearing.

Jim Cross, Briar Hill, stated that his property backs up to this site. He stated that someone labeled the trees around the borders of the property, although most of the trees marked are dead, fallen over, or they are ash trees. He asked about the restoration of the trees.

Chairperson Lirones stated that the Township has a tree mitigation ordinance. She said that a tree survey is necessary to know what to replace the removed trees with. She said that the wooded area was cleared by the previous owner. She said that the previous owner had stated that the trees were planted for harvesting of a single species, and the Township is contending that it would fall under the tree mitigation guidelines. She said that the Township and the original owner were able to compromise on having a public park. She said that there is a fair amount of open space. She added that there are a lot of trees that will be mitigated.

Rick Altschuler, 1724 Foxdale Lane, stated that they would like preservation of the trees. He said that he is concerned that there is not enough being done with the housing envelopes being so close to the trees. He said that even with the best of intentions there could be significant damage to the remaining trees. He said that he would like to see more of an effort and additional mitigation for what is lost in construction.

Planner Montagno stated that as the development starts the Township soil erosion consultants patrol the various sites to make sure the grading is not passing the silt fence, and to make sure the tree protection fence stays in-place. He said that they have asked builders in the past to replace trees that were supposed to be saved.

Mr. Covert stated that the areas where they abut Briar Hills they have provided a twenty (20) foot buffer easement.

Jim Haeussler, Peter's Building Company, stated that they have taken a lot of time on the grading because of the fragile nature. He said that they have not had a lot of problems with the tree protection fencing, and the contractors know to stay away from it.

Bruce McGlone, Deer Glen Drive, recommended that the Planning Commission examine the need for the cul-de-sac. He said that the planned roadway is bordered by four (4) lots, and it destroys two (2) sections of wetland E. He said that this compromises 27% of wetland E. He said that wetland E would be replaced by a box culvert. He said that the western border

of the area is a small flowing waterway. He said that the Atwell-Hicks survey depicts the water flow in a southerly direction.

Mr. McGlone stated that the area has flooded extensively during three (3) of the nine (9) spring seasons he has lived on Deer Glen Drive. He added that building there would be a problem. He recommended that the Planning Commission review the need and impact of the four (4) lots that are planned on the western side of Regina Drive. He said that the water flows in that direction. He said that elimination of several lots would be beneficial.

Chairperson Lirones asked Mr. McGlone if he is suggesting that the developer remove the whole section.

Mr. McGlone replied yes, because of the sensitive and extremely wet nature of the land.

R. Ilankamban, 3712 Beech Drive, stated that they are building a home near the site. He said that there is a very beautiful stretch of trees on the site. He said that he would like to have those trees preserved. He said that it would take years for the replaced trees to grow.

Commissioner Resha asked if the four (4) lots would affect the water flow.

Planner Montagno stated that the stream previously went along the stub road. He said that this is where the dirt from construction came up on Regina Court.

Commissioner Resha asked if underground culverts are proposed.

Planner Montagno replied that this is one of the suggestions of the wetland consultant.

Mr. Covert stated that an existing drainage swale runs through Lake Forest behind Deer Field Drive and comes onto their site. He said that the water from the north is coming out of a culvert from a storm system to the north. He said that when Burnham Woods is connected to their site the water would be detained on the Kirtland Hills site.

Chairperson Lirones read a letter from Norman Schneyer voicing his concerns.

Mr. Covert stated that the flooding of the Lake Forest site came up during their preliminary site plan process. He said that they have received preliminary approval from the Washtenaw County Drain Commission (WCDC), and they have applied for final approval. He showed the two (2) tributaries that flow through Lake Forest.

Chairperson Lirones asked if there would be a drainage district on this site.

Mr. Covert replied yes.

Motion by Commissioner Resha, supported by Commissioner Luna, to close the public hearing.

MOTION CARRIED

Item 7.1 of New Business moved to follow Item 5.1 of the Public Hearing.

Commissioner Griess asked if the developer has any comments about the four (4) lots noted to be frequently flooded.

Mr. Haeussler disagreed that where the lots are located would be a problem.

Commissioner Resha asked what the elevation is in the center of the wetland compared to the property line.

Mr. Haeussler discussed another wet area on the site. He said that the water is coming from another subdivision.

Chairperson Lirones asked Mr. Haeussler if he was looking to purchase the property and complete the end of the condominium project.

Mr. Haeussler replied yes. He said that they would take care of the water coming onto their property. He said that they would be putting it in piping.

Chairperson Lirones asked about the cul-de-sac at the bottom of the site. She mentioned that they discussed the possibility of having the road curve over and connect.

Mr. Haeussler stated that between the WCDC, WCRC, and the distance between the road intersection they could not get everything to work out.

Chairperson Lirones asked if the size of the cul-de-sac could be reduced.

Mr. Haeussler replied no, not according to the WCRC standards.

Mr. Covert stated that the wetland is at grade 868, and lots 48 through 51 are at 876-875.

Mr. McGlone stated that there would be a lot of disturbance to a very fragile area.

Chairperson Lirones stated that the resident building a home on Regina Drive is worried about not having the same woodland buffer as provided on the other side of the site.

Mr. Covert stated that they rotated Lot 58 so that it would be a rear yard to a side yard frontage. He said that they have a lot of landscaping to plant.

Stacy Sussman, Lake Forest, stated there is a culvert in the creek and when it rains there is a lot of water shooting out. She said that her home is the lowest

house of four (4) homes in a row. She said that their property used to get very wet. She said that she would hate to lose the trees.

Motion by Commissioner Resha, supported by Commissioner Shepps, to postpone action on WP 05-02 Kirtland Hills and direct the applicant to:

- 1. Address issues in the Township Wetland Consultant's report dated May 12, 2005.**
- 2. Address all concerns raised by the Planning Commission and the public at this meeting.**

MOTION CARRIED

5.2 CUP 05-04 AAA Drivers Education Program
[submitted for a conditional use permit]

Planning Director Bruce E. Fowler reviewed the report. He stated that this is an existing AAA insurance office at 2650 Carpenter Road. He said that the Conditional Use Permit would be for a classroom and in-vehicle instruction. He listed the neighboring uses. He said that technical schools are permitted with a CUP. He said that there are no planned site improvements, and the parking requirements have been met. He reviewed the findings that the Planning Commission would need to review.

Chairperson Lirones stated that there is an existing sidewalk along Ellsworth Road. She said that the driving would take place on low volume roads during the evening hours.

Lee Brown, petitioner, showed a site plan of the current building. He stated that the hours would be Monday through Friday from 6:30 p.m. through 9 p.m. He said that they are looking at having two (2) classes on Saturday from 9 a.m. through 11:30 a.m. and 1 p.m. through 3:30 p.m. He added that the instructors are certified.

Commissioner Griess asked how many people are in the classes.

Mr. Brown stated approximately fifteen (15) people per class and two (2) vehicles.

Chairperson Lirones asked what the maximum number of training vehicles would be.

Mr. Brown replied three (3).

Chairperson Lirones asked if there are lights on site and landscaping in the islands.

Mr. Brown replied yes.

Chairperson Lirones opened the public hearing.

There were no comments.

Motion by Commissioner Resha, supported by Commissioner Luna, to close the public hearing.

MOTION CARRIED

Item 7.2 of New Business moved to follow Item 5.2 of the Public Hearing.

Chairperson Lirones reviewed the findings:

- A. Will be harmonious with, and in accordance with, the general objectives, intent, and purposes of this ordinance.** Technical schools are permitted under the O-1 Office Zoning District with a Conditional Use Permit provided the Conditional Use requirements are met. The use of this site as a driver's education school could be considered similar in nature to a technical school. Further, because the use is proposed only for evenings and weekends it should not cause conflicts with existing office uses.

The Commissioners agreed with the finding.

- B. 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 use is harmonious with the surrounding area. There will not be any exterior alterations for the proposed use. Basic driving instruction will take place in the existing parking lot after normal business hours and on weekends. The in-vehicle instruction in the parking lot will consist mainly of basic vehicle operation exercises, with the driving taking place on surrounding low traffic volume roads.

The Commissioners agreed with the finding.

- C. Will be served 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 use shall be able to provide adequately any such service.** This site is adequately served by public services and it does not appear that any additional burden will be placed on these services if the permit were approved.

The Commissioners agreed with the finding.

- D. Will not be hazardous or disturbing to existing or future neighboring uses.** The proposed use does not pose any hazards and should not be disturbing to any neighboring uses. The classroom

instruction and driving instruction will be taking place in evenings and on weekends. The use would not create conflicts with surrounding businesses during their daytime operations.

Chairperson Lirones stated that the hours of operation should be 6 p.m. to 10 p.m. on weekdays and 7 a.m. to 4 p.m. on weekends. She asked if there is a maximum number of students.

Mr. Brown stated fifteen (15) to twenty (20) students.

Chairperson Lirones stated that the maximum number of students per class could be twenty-four (24) students.

The Commissioners agreed with the finding.

E. Will not create excessive additional requirements at public cost for public facilities or services. The use is not expected to create excessive additional requirements at public cost for public facilities or services.

The Commissioners agreed with the finding.

Motion by Commissioner Luna, supported by Commissioner Resha, to postpone action and direct staff to write a resolution of approval for CUP 05-04 AAA Drivers Education Program, and direct the applicant to address the Planning Commissions comments.

MOTION CARRIED

6.0 Old Business

6.1 CSPA 04-25 Wellesley Gardens Phase 2 [submitted for final site plan]

Planner Montagno reviewed the report. He stated that all of the required information has been provided. He said that the spruce trees should be planted fifteen (15) feet from the driveway edge. He said that there should be a one (1) year guarantee placed on the plant materials. He said that Planner Schmult mentioned in his report that the Planning Commission might want to ask for a two (2) year guarantee, because of the potential for grading damage. He said that the Township Engineer has stated that the plan is in good shape. He said that they are concerned about the curb and gutter lines on a couple of the units. He said that they have received WCDC and WCRC approval. He said that they have asked for an extension for revision of a small wetland regulated by the MDEQ.

Jeff Brown, Brown Properties, stated that the MDEQ has approved the permit.

Chairperson Lirones discussed the two (2) year guarantee.

The Commissioners, staff and the applicant discussed the guarantee for the trees and agreed on a one (1) year guarantee from the time each item is planted for the landscaping.

Motion by Commissioner Resha, supported by Commissioner Luna, to approve the final site plan for CSPA 04-25 Wellesley Gardens Phase 2 with the following conditions:

- 1. Address Item 2 in the Township Planner's report dated May 11, 2005.**
- 2. The Township Engineer's report dated May 13, 2005.**
- 3. Address the comments made by the Planning Commission.**

MOTION CARRIED

6.2 CSPA 04-21 Ann Arbor Maintenance Facility [submitted for final site plan]

Planner Montagno reviewed the report. He said that the site plan appears to be in compliance with the Zoning Ordinance with a few exceptions. He said that the table previously shown on the site plan needs to be replaced on the next submittal. He said that the Planning Commission made a requirement of approval that an easement be required along the north of the project or letters should be received by the Township from the homeowners. He said that they have received a letter of assurance from the project manager, although they would like to see the actual easement language. He said that the layout is consistent with the preliminary site plan. He said that two (2) sections showing the screening effect of the berm along Stone School Road are shown on sheet 19. He said that eighty-three (83) trees are required. He discussed the mitigation requirements, and added that the site plan exceeds the requirements.

Chairperson Lirones asked if the twenty (20) foot wide easement is to the City of Ann Arbor or the Township.

Planner Montagno stated that the easement would be to the property, which is the Maintenance Facility. He said that the Township Engineer had general comments. He said that modifications must be made to the plan if the transfer station intends to connect to the Township's water service. He said that there are storm sewer issues that are considered moderate modifications. He said that there would be a revision of the wetland mitigation area. He said that the wetland permit has been approved although it has never been issued. He stated that they would have one (1) combined wetland mitigation area.

Planner Montagno stated that the Township lighting consultant approved the plans April 12, 2005. He said that the Planning Commission might want to discuss the height of the two (2) lights on the south side of the parking lot. He said that there were previous issues with the side slopes on the banks of the pond area. He said that the WCDC wanted a fence and the Planning Commission did not want to see a fence in that area. He said that the applicant will minimize the slope where possible and provide a guardrail. He said that the WCRC has given approval for the site distances, and driveway permits,

although there are issues that still need to be worked out with the Stone School Road improvements. He added that this would not change the site plan.

Chairperson Lirones stated that the lights are forty (40) feet tall, and she asked if there is a reason that they need to be that high. She said that the Township usually only wants a twenty-five (25) foot pole.

Bill Wheeler, City of Ann Arbor, stated that they would change the height of the rest of the lights on the site.

Ann Stevens, Atwell Hicks, stated that the light was made taller because of the potential for sports fields. She said that there is no reason why the lights need to be different from the rest of the parking lot.

Chairperson Lirones stated that the Township received the letter stating that an easement is intended although; they need an actual easement on the property.

Ms. Stevens stated that they would prepare the easement documentation.

The Commissioners and staff discussed the light pole heights on the site.

Chairperson Lirones discussed the guard rail and the path.

Ms. Stevens stated that the path was not part of this project. She said that they have changed the location conceptually of the path.

Chairperson Lirones asked if the berming is only along Stone School Road.

Ms. Stevens replied yes. She said that there is a natural berm from previous dirt.

Chairperson Lirones stated that the Township does not need to hold up their process for WCRC approval. She asked if the funds needed from the shopping center have been received.

Mr. Wheeler stated that they are meeting with the owner of the shopping center next week. He said that the Township could withhold the Certificate of Occupancy (C of O) until the WCRC approves the plans.

Mark Pascoe, Atwell Hicks, stated that they would like to proceed with getting grading and utility permits.

Chairperson Lirones stated that they are glad that the road is going to be paved and they do not want to hold up something that is a benefit to the community.

Motion by Commissioner Luna, supported by Commissioner Resha, to approve the final site plan for CSPA 04-21 Ann Arbor Maintenance Facility with the following conditions:

- 1. Changes to wetland mitigation must be provided for review and meet the satisfaction of the Township Wetland Consultant.**

2. **Address the two outstanding items in the Zoning Review dated May 13, 2005.**
3. **Address any outstanding issues in the Township Engineer's report dated April 25, 2005.**
4. **Revise the lighting plan according to the decision of the Planning Commission.**

MOTION CARRIED

7.0 New Business

- 7.1 WP 05-02 Kirtland Hills**
[submitted for a wetland permit]
(Ellsworth Rd., west of Lohr Rd., SE ¼ Section 7)

Item moved to follow Item 5.1 of the Public Hearing.

- 7.2 CUP 05-04 AAA Drivers Education Program**
[submitted for a conditional use permit]
(2650 Carpenter Road, Section 2)

Item moved to follow Item 5.2 of the Public Hearing.

8.0 Planner's Report

Planner Fowler stated that they have received notification from York Township that they are beginning to amend their Comprehensive Plan. He added that they have also received a notice from Ann Arbor Township indicating that they would be changing their Comprehensive Plan. He said that there is a planning news service that you can get online for free. He said that it provides planning related news twice a week from around the world. He handed out copies of three (3) articles from today's issue.

9.0 Chairperson's Report

Chairperson Lirones stated that the Commission would be revising the kennel ordinance.

10.0 Commissioner's Report

None.

11.0 Approval of Prior Minutes

None.

12.0 Adjournment

Motion by Commissioner Luna, supported by Commissioner Resha, to adjourn the meeting.

MOTION CARRIED

Chairperson Lirones adjourned the meeting at 9:50 p.m.

Julie Griess, Secretary

Date