



DEXTER TOWNSHIP

PLANNING COMMISSION

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BOB NESTER
VACANT
VACANT
COMMISSIONERS

JANIS MILLER
RECORDING SECRETARY

REGULAR MEETING OF THE PLANNING COMMISSION

Tuesday, June 26, 2018

Present: Steve Burch, Chair; Tom Ehman, Vice-Chair; Tom Lewis, Secretary; Bill Gajewski; Bob Nester. Absent: None.

Also present: Zach Michels, Director of Planning and Zoning (DPZ); and Janis Miller, Recording Secretary.

1. **Call to Order:** Mr. Burch called the meeting to order at 7:00 PM.

2. **Conflict of Interest:** None.

3. **Approval of Agenda:**
Approved by consent.

4. **Public Comment:** (non-agenda items) None.

Barbara Urbanski, 13500 Island Lake Road, Dexter, MI
Shared concern that the new Zoning Ordinance needs to address timely placement and removal of garbage cans at the end of driveways.

5. **Action Items:**

Item A:
Public Hearing for (18-SD-021) Dirty House Buyers

Director of Planning and Zoning report:

- A) Applicant is requesting a shared driveway for three properties.
- B) Access easements already exist.
- C) Length of the driveway, to center of cul-de-sac, is approximately 300 feet.
- D) Width of the driveway is twelve feet, the minimum required.
- E) The entrance will not have passing flares.
- F) Dexter Area Fire Department has reviewed and approved the driveway plan.
- G) A driveway permit has been issued by the Washtenaw County Road Commission.
- H) An easement agreement and a maintenance agreement have been submitted.

Planning Commission questions of DPZ:

Mr. Lewis: Anything from the Township Engineer?

DPZ Michels: They had zero comments on the shared driveway. They did notice an error in the legal description for one of the lots that has been existence since 1998. We will correct that with the applicants in the future.

Applicant presentation:

Gerrit Stukkie, Dirty House Buyers co-owner

A) Property purchased May 17, 2018,

B) The intention is to build three homes, one per lot, with about 2,000 square feet each.

C) Not currently known if the northern property is the ITC easement.

Open Public Comment at 7:09 PM.

Andrew Fink, Attorney for Mrs. Darr, 9500 Island Lake Road.

Mrs. Darr has a concern as her fence protrudes into the legal description of the proposed driveway. Mrs. Darr has no objection to the proposed driveway. She is willing to resolve the issue with Dirty House Buyers directly.

Close Public Comment at 7:12 PM.

Planning Commission discussion:

Expanse of the driveway right-of-way and cul-de-sac right of way.

With the new draft Zoning Ordinance, this would not come before the Planning Commission as it would become an administrative decision of the Director of Planning and Zoning, with advice from the Township Attorney and Township Engineer.

Dexter Area Fire Department letter addressing the proposed turn-around and offering options to the applicant.

The current cul-de-sac easement was created in 1998 when the property was split.

If the applicant were interested in entertaining one of the other options that is offered by the Fire Chief, do they have to come back to this body to change that? **DPZ Michels:** It depends on how this body phrases its approval.

If the applicant wants something less than presented, do they have to ask for a variance through the Zoning Board of Appeals? **Mr. Burch:** It is within the pervue of the Planning Commission to approve the application with a caveat that if they negotiated a less intrusive design, we could allow the DPZ to approve it.

Zoning Ordinance §20.05(B)(7) Shared Driveways.

Addressing water runoff, the bulk of the driveway will be gravel.

Motion by Mr. Ehman to approve the plan (job #18114) as presented by Midwest Consulting, with the condition that if the Dexter Area Fire Department approves something different than what is shown where the cul-de-sac is presently, we will accept that. Motion second by Mr. Gajewski. Motion carried 5-0.

Motion by Mr. Ehman to approve (18-SD-021) Dirty House Buyers, [a shared driveway serving three properties located between 9400 & 9500 Island Lake, Section 36 of Dexter Township (D-04-36-300-039/040/041)], subject to an approved easement agreement, and an approved right-of-way maintenance agreement by the Township Attorney and the Director of Planning and Zoning. Motion second by Mr. Nester.

Roll Call Vote: Yeas-Burch, Lewis, Ehman, Gajewski, Nester; Nays-None; Absent-None.

Motion carried 5-0.

Item B:

Public Hearing for draft Zoning Ordinance

Director of Planning and Zoning report:

- A) The Township Board remanded §17.30 & §17.40 back to the Planning Commission for further attention.
- B) The current Zoning Ordinance water standards are scattered in Article 24: Environmental Standards.
- C) The idea is to put the water quality and quantity in one place in the new Zoning Ordinance.
- D) Discharge into wetlands needs a pretreatment to catch sediment.

Planning Commission questions of DPZ:

Mr. Burch: Under the proposed §17.40(C), it sounds counterintuitive as stormwater is flowing and it affects the water levels and flowrate.

DPZ Michels: Pre-treatment ponds slows the rate of flow.

Mr. Ehman: You need to first look at the definition for direct discharge. Handout. It is intended to send it in a particular direction. Concerned that in §17.40(B) it should be waterbody or wetland of special significance. What we need to worry about is existing features and the intent of §17.40.

Mr. Gajewski: Surface water and wetlands are not the same. I propose we delete §17.40(B)(C) & (F). I propose we approve §17.40(A)(D) & (F) as discussed and modified. Wetlands are not surface waters, they are vegetative buffers that help control pollution and help protect water quality of surface waters like lakes, rivers, & streams. Direct discharge (point source discharge) now includes Stormwater being collected & conveyed in roadside ditches, culverts, and channels. We are trying to design on paper a universal approach for Stormwater management but that's impossible because of each site is unique with its unique topography, soils, natural features, and natural drainage systems.

Mr. Nester: This whole thing presupposes that with runoff there is sediment. This is not necessarily the case. The Road Commission is the biggest purveyor of sediment.

Mr. Ehman: I'm suggesting that what we're trying to regulate is stormwater that is either collected in a pond or ditch, and then directed somewhere else. This water runoff collects a lot of stuff. The draft doesn't seem to recognize this.

Mr. Burch: I remember being on ZBA, addressing stormwater, it was always that first half inch of rain after a storm is what you wanted to capture. That is where ninety percent (90%) of your contamination is going to be.

Mr. Ehman: I think of all the people around the lakes who have always had water running off their yards into the lake. It hasn't hurt anything except when they fertilize.

Mr. Nester: We have no regulations for fertilizer on non riparian property. Based on when land is tilled, there is no control of farmlands runoff and silt.

DPZ Michels: The current Zoning Ordinance has a big hole in it that it says, if you are hooked up to a County Water Commissioners resource structure, be it a drain or whatever they control, then you have to meet their standards.

Mr. Burch: We need to resolve this issue.

Mr. Nester: We need to meld the two proposals, Mr. Ehman's & Mr. Gajewski's, as I see a great deal of value in both.

Open Public Comment at 8:20 PM.

Linda Singer, 9260 Anne, Pinckney, MI

She has not had success with the DEQ (Department of Environmental Quality) as they dismissed her concern about a wetland.

Liz Longley, 3143 Tanglewood Trail, Chelsea, MI

Concerned about how to go forward, with what has been learned in the past, to protect Dexter Township's waterbodies.

Tim Zaleski, 8385 Dexter Townhall Road, Dexter, MI

Requested audience copies of all the documents discussed, not just those online in the Planning Commission packet.

Closed the Public Comment at 8:30 PM.

Planning Commission Review:

Chairperson Burch assigned a subcommittee to develop motions regarding §17.40 Water Quality & Quantity, and §17.45 Stormwater Management. The committee members are: Mr. Gajewski, Mr. Ehman, and Mr. Lewis (who will record minutes of the meeting). As a preliminary document it will be shared with the Director of Planning & Zoning, the Planning Commission members, and posted on the Township's website.

Staff reports and all other supporting documents regarding the above agenda items can be obtained at the Township hall during normal business hours. Additionally, these documents are available on the Townships website: www.dextertownship.org and can be viewed on new.livestream.com/dextertownship.org.

6. Approval of Planning Commission Minutes:

Moved by Mr. Ehman, seconded by Mr. Nester, to approve the meeting minutes of May 22, 2018, as amended. Motion carried 5-0.

7. Election of Officers: No action

8. Township Board of Trustees Update:

Bill Gajewski, Township Board Representative gave a report on the June 19th, regular Township Board Meeting.

9. Concerns of Commission Members, Director of Planning and Zoning, Supervisor, and Recording Secretary:

Mr. Ehman – Concerned with §15.40(D)(7) what it says and what it means to say regarding the application/completion limits.

Mr. Nester – Asked about progress in appointing members to the Planning Commission to fill the empty spaces.

10. Review of Bylaws:

Moved by Mr. Burch to defer further consideration of the Bylaws until a full Planning Commission is seated. Motion seconded by Mr. Nester. Motion carried 5-0.

11. Public Comment:

Tim Zaleski, 9395 Dexter Townhall Road, Dexter, MI

Questioned the three pdf files online in the Planning Commission packet.

DPZ Michels noted they were the three edited copies of the bylaws for tonight's review.

12. Future Agenda Items: July 24, 2018

Special Land Use/Site Plan Review for a car sales lot

Zoning Ordinance Review

Review of Bylaws

13. Adjournment: Mr. Burch declared meeting adjourned at 8:50 PM.

Respectfully submitted,

Tom Lewis, Secretary

Janis Miller, Recording Secretary