

MANCHESTER TOWNSHIP PLANNING COMMISSION
Manchester Township Hall, 275 S. Macomb Street, Manchester, Michigan 48158

Regular Meeting Minutes Approved
August 2, 2007

A. CALL TO ORDER

The meeting was called to order at 8:00 pm by Chairman Kopka

Members Present: Les Kopka, George Daubner, Jim Samonek, Pete Stumpo, Lyle Widmayer, John Seefeld, and Deena McIntosh

Absent: None

Others Present: Paul Siersma (Carlisle/Wortman), Ron Mann (Township), Patrick Vallad (15580 Mull Highway), and Dan Lauer (1628 Mull Highway)

B. APPROVAL OF AGENDA

Motion made by McIntosh and seconded by Widmayer to approve the agenda as presented.

Voice vote: ayes all. Motion carried.

C. APPROVAL OF MINUTES – July 5, 2007

Motion made by Samonek and seconded by Widmayer to approve the 07/05/07 minutes as presented.

Voice vote: ayes all. Motion carried.

D. PUBLIC COMMENT

None.

E. REPORTS AND CORRESPONDENCE

Reports

1. Report of Chairperson:

None.

2. Report of Township Board Representative:

Widmayer distributed the minutes from the last Township Board meeting to the Planning Commissioners. Widmayer indicated that the Township Board addressed pay raises for the Planning Commission and the appointments of the auditor, bank, and attorney.

3. Report of Zoning Board of Appeals:

Kopka advised that the next meeting will be held on 08/23/07.

4. Report of Planning Consultant:

Siersma reported on the status of two projects in the Village including the conditional rezoning application at Dutch Drive and M-52 and the rezoning application for 55 acres on M-52. Daubner inquired on the terms of the conditional rezoning. Siersma outlined the proposed conditional rezoning for a specific use or uses (currently a car wash and dog wash). Siersma noted that the rezoning application for the 55 acres will have a public hearing in August. Daubner expressed concern for the rezoning application since the rezoning would be for three zoning districts. Planning Commissioners discussed the past placement of the high school.

5. Reports of Committees:

a. SWWCOG

Daubner indicated that there was no July SWWCOG meeting.

b. Township/Village 425 Agreement

Planning Commissioners discussed that the issue is on hold pending resolution of the SWWCOG regional planning effort.

6. Correspondence

Daubner advised that the following items had been received:

- Planning and Zoning News
- Letter and Petition regarding Whispering Lakes from the residents of Twin Lakes
- Letter regarding Whispering Lakes from Dan Lauer
- Land Division Application – passed for review by Planning Commissioners

F. UNFINISHED BUSINESS

1. Whispering Lakes Resort

Planning Commissioners reviewed the 12-page Carlisle/Wortman Conditional Use Review for Manchester Township, Michigan for Whispering Lakes Resort (prepared by John Enos and Paul Siersma – dated 07/25/07) and the six-page letter and petition from the residents of Twin Lakes (dated 07/30/07). Siersma outlined the last revision to the plan that had pushed most of the camp facilities and activities to the west due to the onsite wetlands. Siersma indicated that development of the proposed camp would likely remove the woodland area. Siersma indicated that the area to the west is hilly and would likely require grading that could create environmental damage. Siersma indicated that pages 6 through 9 of the Carlisle/Wortman Conditional Use Review for Manchester Township, Michigan for Whispering Lakes Resort outlines the information needed for a complete review of the conditional use application. Siersma reviewed the criteria outlined on page 9 of the Carlisle/Wortman Conditional Use Review for Manchester Township, Michigan for Whispering Lakes Resort – items A through G. Siersma indicated that the proposed use is not consistent with the Master Plan and the proposed plan does not comply with the zoning ordinance. Samonek inquired if the plan has changed since the last presentation at the June meeting. Siersma indicated that there have been no changes. Kopka indicated that

the letter and petition from the residents of Twin Lakes was received as well as the realtor for the property had e-mailed him. Planning Commissioners discussed that if the Applicant had been interested in submitting the missing information that the Applicant would be here at the meeting. Seefeld inquired on the Applicant's intent to send a withdrawal letter. Kopka indicated that the letter had not been received despite the civil engineer for the project indicating that the letter would be sent to the Township.

Motion made by McIntosh and seconded by Samonek based upon the information received from the applicant, a review dated 07/25/07 by the Township Planner, and reflected in minutes of this meeting, the Planning Commission finds that the Whispering Lakes Resort Conditional Use application fails to meet the information requirements of Section 12.05 and the required standards of Section 12.08 of the Manchester Township Zoning Ordinance, therefore the Whispering Lakes Resort Conditional Use is denied..

Roll call vote: Daubner – yes, Stumpo – yes, McIntosh – yes, Samonek – yes, Widmayer – yes, Seefeld – yes, and Kopka - yes. Motion carried.

Siersma indicated that he would draft a letter regarding the denial of the Whispering Lakes application and he will forward to Ann Becketl (Township Clerk). Siersma indicated that Carlisle/Wortman will begin a review of the language in Article 12. Siersma indicated that conditional use review can have large issues. Kopka called for public comment.

Patrick Vallad (15580 Mull Highway) – Vallad indicated that the Twin Lakes residents received what they wanted. Vallad indicated that the proposed camp use did not fit the environment of the lake. Vallad indicated that the Carlisle/Wortman review addressed the concerns of the residents of Twin Lakes.

Dan Lauer (1628 Mull Highway) – Lauer indicated that he feels the same as Vallad. Lauer thanked Planning Commissioners for their diligence. Vallad also extended thanks to the Planning Commissioners. Dauber indicated that the letter and petition was a help to the Planning Commission.

2. County Purchase of Development Rights Program

Siersma outlined his discussion with Terry Brinkman (County) regarding the County Purchase of Development Rights (PDR) Program. Siersma indicated that the PDR Program is a very complex process. Siersma indicated he recommends that the Township rescind the Township PDR ordinance and adopt the County PDR program language. Siersma discussed the scenarios within the proposed County PDR program. Planning Commissioners and Mann discussed that the Township does not have funds for PDR. Siersma indicated that the Township would incur additional costs to set up a workable PDR ordinance including cost to update the Master Plan, to set up a Farmland Preservation Board, and to monitor a PDR program. Siersma distributed an excerpt of the County presentation on PDR to the Planning Commissioners. Samonek indicated that he is personally against PDR and that he does not want to pay taxes to preserve other peoples land. Planning Commissioners discussed funding options under the proposed County

plan. Siersma reviewed the options of programs included in the County PDR presentation distributed to Planning Commissioners. Siersma indicated that the Township could start the County PDR program by mid-September to be eligible for the next round of funding per Terry Brinkman. Mann indicated that a PDR program could be a benefit to farmers. Mann indicated that since the Township does not have funding for PDR that he would like to see the Township rescind the Township ordinance and adopt the County language. Siersma indicated that the current Township ordinance is not effective. Mann discussed that the value of the property under PDR will be lowered due to the loss of the development rights. Siersma indicated that adjacent land could be of more value depending on future development. Planning Commissioners discussed the land values and tax implications under a PDR program. Siersma indicated that the PDR ordinance is a general ordinance and that the Board would rescind the ordinance. Siersma suggested that the agenda item be on the September agenda to make a recommendation to the Board. Planning Commissioners discussed that they are in agreement to make a recommendation to rescind the PDR ordinance. Motion made by Widmayer and seconded by Seefeld to recommend to the Township Board to rescind the Purchase of Development Rights ordinance and to pursue the County Purchase of Development Rights program. Voice vote: ayes all. Motion carried.

Daubner inquired if the Township should be represented on the ALPAC County Board under the Urban Cooperation Act. Siersma indicated that Jesse O'Jack should review the County PDR language. Planning Commissioners discussed that the ten members of the ALPAC County Board are picked by the County Commissioners. Mann indicated that there has not been interest to date for PDR in the Township and that there may not be a pressing need to have representation on the ALPAC County Board.

3. Regional Planning Commission Recommendation

Siersma reviewed the regional planning efforts that SWWCOG has been working on. Siersma indicated that the regional planning efforts have focused on a regional master plan for the community. Siersma indicated that adoption of a regional master plan would not affect each municipality's zoning. Samonek inquired if the regional planning effort would eliminate each Planning Commission. Siersma indicated not at this time. Siersma indicated that the short-term goal looked to be development of a regional master plan. Mann indicated that there is a possibility of a regional planning commission that would eliminate each municipality's planning commission. Siersma indicated that creation of joint zoning ordinance would be problematic. Mann indicated that there are too many questions regarding zoning issues at this time but the creation of a regional master plan is a good idea. Mann discussed the goals of the regional master plan including funneling development to the Village. Planning Commissioners discussed that if no action is taken on regional planning issues that the Township could be at risk for the County to obtain control some time in the future. Mann indicated that the regional master plan is the way to go. Planning Commissioners discussed the scenarios for development of the master plan. Mann indicated that the regional planning effort is a possible five entities with two voting members from each entity. Daubner indicated that the even number could result in tie votes. Mann indicated that tie votes are possible.

Mann indicated that the regional master plan would be reviewed and approved by the Township before adoption. Mann encouraged Planning Commissioners to attend the next SWWCOG meeting. Mann discussed scenarios of potential development and how the regional master plan would help define the development. Kopka indicated that the decision to go with the regional planning efforts would be the decision of the Board. Daubner indicated that regional planning is the way of the future. Widmayer indicated that he is all in favor of the regional master plan. Widmayer expressed concern for a possible loss control for the Township. Siersma indicated that the language of the regional planning effort limits the effort to the development of the regional master plan. Siersma indicated that zoning issues would be more of an uphill battle. Mann indicated that makeup of the Regional Planning Commission would be one member of the Planning Commission and one member of the Township Board. Mann confirmed that each of the local Boards would approve the regional master plan. Mann indicated that the master plan would need to be updated with recent changes. Mann indicated that the regional planning effort should be conducted with the idea of what is best for the whole community. Mann indicated that the Township will retain local control and that the Township may have to revise some zoning designation definitions and titles. Planning Commissioners discussed the planning issues surrounding the entryways to Frankenmuth, Dexter, and Chelsea. Seefeld indicated that he like the idea of the regional master plan. McIntosh and Stumpo concurred. Mann discussed past developments in the community. Daubner inquired on the Lodi Township development. Mann advised that the application for onsite sewer system was pulled. Planning Commissioners discussed the status of the Emerald Glen development. Kopka read and signed the one-page memorandum to the Manchester Township Board of Trustees regarding the Joint Planning Commission (dated 07/31/07).

4. Wireless Washtenaw Placements

Siersma indicated that he contacted Bill Lockwood for a status on the Wireless Washtenaw placements and has not received a response. Planning Commissioners discussed the recent article regarding funding issues for the program and the possibility of not being complete by year end. Mann indicated that the 800 MHz system for police, fire, and ambulance is proceeding and that a tower placement in the Township is likely.

5. Multiple Use Ordinance Language

Siersma advised that Carlisle/Wortman is still working on the issue. Siersma indicated it should be on the September agenda. Mann indicated that the ordinance could allow for re-development of existing properties in the Township.

G. NEW BUSINESS

Siersma indicated that the review of Article 12 would likely be on the September agenda.

H. COMMENTS FROM COMMISSION

Daubner inquired on the Regional Commercial zoning district in use in the Village. Siersma discussed the history of the development of the language. Siersma indicated that the request for

rezoning of the 55 acres on M-52 includes Regional Commercial zoning. Siersma indicated that the intent of the Regional Commercial zoning is to be used on a main thoroughfare for high intensity uses with a minimum lot size of ten acres. Mann indicated that Regional Commercial zoning would address uses with higher vehicle visits and uses requiring more visibility. Widmayer expressed concern for creating another downtown or competing with downtown businesses. Mann indicated that the Regional Commercial limits the uses allowed. Daubner indicated that he would not be here for the September meeting for the Planning Commission or for SWWCOG. McIntosh volunteered to attend the September SWWCOG meeting.

Stumpo commented that the Zoning Board of Appeals needs to put more emphasis on setbacks. Stumpo expressed concern for buildings being built in the setbacks. Stumpo indicated that it should not allow variances for setbacks. Stumpo advised that if a property does not fit your needs, then you need to purchase different property. Stumpo indicated that he does not understand why variances are allowed for houses. Mann responded that not all the ordinances and lot dimensions can be perfect and that there should always be an appeals process due to special circumstances. Mann indicated that appeals would be used for property that limits the use that others have. Kopka indicated that he has reviewed two cases so far and one was denied and one was approved. Mann indicated that most situations do not go for variance.

Kopka inquired if the Planning Commission agenda could be added to the website. Mann indicated that there is a timing issue and that the website services provided by Karl Racenis are voluntary. Kopka suggested e-mailing the draft agenda to Karl two weeks before the meeting to post on the website.

Mann distributed information on historical tours in the community to Planning Commissioners.

I. PUBLIC COMMENT

None.

J. NEXT MEETING

Next regular meeting – Thursday, 09/06/07 at 8:00 pm

L. ADJOURNMENT

Motion by Samonek and seconded by Widmayer to adjourn meeting at 9:36 pm.

Voice vote: ayes all. Motion carried.

Prepared by, Approved by,

Jennifer Crumb, MTPC Recording Secretary George Daubner, MTPC Secretary

Date