

Summit Township Planning Commission

November 20, 2001

MEMBERS PRESENT: Ronald Whitaker, Chairman; Richard Erhardt; Stephen Artz; Dennis Hackett, Secretary; Kenneth Strobel, Zoning Board of Appeals Liaison; Mary Ann Hitt, Township Board Liaison; Robert Simmons; Patrick Dunigan; Raymond McQuillan and John C. Worden, Summit Township Zoning Administrator

The meeting was called to order by Chairman R. Whitaker on Tuesday, November 20, 2001 at 7:00 p.m. in the meeting room at the Township Hall.

A motion was made by D. Hackett and supported by K. Strobel to approve the minutes of the October 16, 2001 meeting as written. Motion carried unanimously.

CASE NUMBER 01-10-0032 Site Plan Renewal - 4200 Block Fairway Lane – Art Bruemmer

A public hearing was held on the application of Art Bruemmer for Site Plan Renewal of the 4200 Block Fairway Lane.

J. Worden explained the Site Plan had been tabled from the October 16, 2001 meeting as there was no a letter of authority from the developer and property owner. The assessing department is concerned with the changing and/or approving of an amendment to the Site Plan. This requires an amendment and revision of the Master Deed to the Fairways - in particular the sequence of numbers, which is part of the state law and not part of the zoning requirements. The percentage of ownership that is with each unit will also need to be changed.

M. Hitt asked about changing the "very back building from four units to two - did they amend the master deed?"

Wes Lutz, developer, explained that as with the other two projects, The Legends and The Woods, this wouldn't be done until the project was complete.

M. Hitt stated a concern about Unit 31, which had been sold and was not on the revised site plan.

W. Lutz didn't realize the documentation did not reflect the actual building and would have that corrected.

J. Worden explained that the Ordinance states if site plan approval is granted no building permit will be issued until the master deed is revised and filed with the Register of Deeds. Also any changes would be an amendment to the Master Deed and would also have to be filed with the Register of Deeds prior to issuance of a building permit.

R. Simmons explained that title insurance and a deed wouldn't be issued for a property unless the master deed was correct and filed with the Register of Deeds.

No public comments.

A motion by R. Simmons, supported by S. Artz, to recommend to the Township Board approval of the Site Plan contingent upon amendment of the Master Deed and existing units stay numbered as on the original deed. The motion carried unanimously.

CASE 01-11-0036 – Conditional Use Permit – 305 Meadow Lane – Deborah Moss

A public hearing was held on the request of Deborah Moss, 305 Meadow Lane, for a Conditional Use Permit for a Child Day Care Center for 30 children.

J. Worden read the letter from John Van Pernis, 264 Stanford Lane, stating his concerns over the proposed center. He also read the letter from Chief Hendges, Summit Fire Department, stating his concerns about fire detectors and a window in the basement not being a legal means of egress.

J. Worden stated the township was not aware the facility at 305 Meadow Lane had been licensed for a day care of twelve children. Six to twelve children requires a Conditional Use Permit to meet the Zoning Ordinance requirements. Over 12 children and it becomes a Center and no longer a residence and therefore, a business is in a residential area.

There is a problem with the number of children and usable space. Newborns to 2.5 years old require 50 square feet of space each. Two and a half to five years require 35 square feet per child of activity space – not including bedrooms, bathroom, and kitchen. Using her drawing and square footage and the maximum footage requirements of 50 square foot per child she would be allowed 15.5 children. The sewer and water rates will increase 1.5 times the residential rate for the Conditional Use as required by the Township.

A State Certified Fire Inspector will be inspecting the home on November 27, 2001.

Mrs. Moss explained that she would be expanding her parking to accommodate more workers. Her peak times are 7:30 am to 8:00 am and 5:00 pm to 5:30 pm. Her state representative had told her she had enough space for 30 children.

R. Whittaker stated that the current level is in violation because of the number of children (12). He is concerned about having a business in a residential district, and parking.

R. Erhardt asked if the play area was all fenced.

D. Moss said the fence comes to the house.

R. Erhardt asked if she was planning to move out of the house.

D. Moss explained that with over 12 children you couldn't live in the home.

R. Whittaker explained that allowing the center would be "spot" zoning – Commercial in a Residential district.

No public comments.

A motion by R. McQuillan supported by R. Erhardt to recommend to the Township Board approval of a Conditional Use Permit for a Home Occupation with a maximum of 12 children. This is subject to state and fire regulations, number of employees, applicable rules, modification and deficiencies corrected, and the owner remains living in the house. Motion carried unanimously.

CASE 01-11-0037 – Site Plan Review – 2829 Park Drive – Jackson Free Methodist Church

J. Worden stated that the letters from the Jackson County Drain Commission and the Jackson County Road Commission had not been received.

George Covelle explained the parking capacity would exceed the township requirements with the new lot. Coverage of the lot is 8%. An unknown is sewer, with the way the sewer line crosses the property it is unknown if they will tie into the line. If they don't tie in there is enough room for a septic system.

J. Worden stated that Brian Finch of the Road Commission had issued a permit last year for the drives and would send a copy.

R. Erhardt asked about the inverts for the sewer.

G. Covelle said if correct they would tie into them.

No public comments.

A motion by P. Dunigan supported by S. Artz to recommend to the Township Board approval of the Site Plan contingent upon receipt of the letter from the Jackson County Road Commission and the Jackson County Drain Commission and a Knox lock box. Motion carried unanimously.

Case 01-11-0038 - Site Plan Review Ramatech – 2735 Page Avenue

J. Worden explained about the 425 Agreement for property revenue sharing between the City of Jackson and Summit Township. Ramatech would be taxed by the City of Jackson, which would in turn share the revenue with the Township. The agreement would be for 50 years. The property is in a "Brownfield and Renaissance Zones" and a Community Block Grant has been applied for to provide sewers to Ramatech. Additional costs of providing sewer service will be paid for by the City of Jackson. Ramatech will be required to reimburse the Township \$250,000 if the Township has started the sewer project and Ramatech backs out.

The advantage to Summit Township is the ability to offer the Page Avenue area sewers. The City of Jackson will provide up to an additional \$200,000 if the residents of the area petition for sewer service.

There was also a water main size issue that was resolved with a 12 inch main connection off Page Avenue instead of Streator Avenue.

M. Hitt asked if there was a letter of authorization.

J. Worden stated there was a purchase agreement.

Mark Schaffer, 51331 Pontiac Trail, Wixom was there representing Ramatech. He said the purchase agreement would close January of 2002. He said their last concern was the existing environmental concerns. The level of contamination has yet to be determined. Ramatech will be consolidating their Jackson facilities. They will be installing a parallel storm drain.

M. Hitt wanted to know when they would be signing the indemnification.

M. Schaffer said that it would be subsequent to the environmental study.

J. Worden stated it would need to be signed prior to December 31, 2001.

R. Erhardt asked if the railroad tracks on the property would be abandoned.

M. Schaffer stated it would be.

No comments from the public.

A motion was made by R. McQuillan, supported by D. Hackett, to recommend to the Township Board approval of the Site Plan contingent upon:

1. Compliance with the Jackson County Road Commission requirement regarding Streator Avenue and the applicable Frost Laws.
2. Storm drainage is approved by the Jackson County Drain Commissioner
3. Obtaining a permit from the Jackson County Road Commission
4. Execution of all documents required by the Township including any indemnification or guarantee documents by December 31, 2001.
5. Knox box.

Motion carried. R. Simmons abstained.

2002 Meeting Dates

J. Worden presented the calendar of meeting dates for the next year.

Motion by R. Whittaker supported by M. Hitt to recommend approval of the calendar. Motion carried unanimously.

There being no further business to come before the Planning Commission, a motion was made by D. Erhardt, supported by M. Hitt, to adjourn. The motion carried unanimously. Meeting adjourned at 8:35 pm.

Respectively submitted by:

Dennis Hackett, Secretary
DH/jkw