

SUMMIT TOWNSHIP PLANNING COMMISSION

September 19, 2006

MEMBERS PRESENT: Raymond McQuillan, Chairman; Robert Simmons, Vice Chairman; Dennis Hackett, Secretary; Gordon Heins, Township Board Liaison; Richard Erhardt, Zoning Board of Appeals Liaison; Natalie Stopyak, Recreation Planning Commission Liaison; George Gancsos, Stephen Artz; and John Worden, Summit Township Zoning Administrator.

MEMBERS ABSENT: Patrick Dunigan

The meeting was called to order by R. McQuillan, Chairman, on Tuesday, September 19, 2006 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

A motion was made by G. Heins, supported by R. Simmons, to approve the Tuesday, August 22, 2006 minutes of the Planning Commission as written. The motion carried unanimously.

Case # 06-09-00013 – Rezoning of Property located east of 2119 Ferguson Rd. (Polly's) to South Jackson Road and South of 2121 Ferguson Road (Summit Township Offices) from Office (O-1) and Suburban Residential (RS-2) to General Commercial (C-2) – Applicants F. A. Kennedy Company LLC and the Township of Summit

J. Worden explained the case contained two properties for rezoning:

- 1) 2.8 acres owned by Summit Township
- 2) and 7.5 acres owned by F.A. Kennedy Company LLC

J. Worden further stated that if the rezoning was successful, F. A. Kennedy Company LLC would then be requesting a conditional use permit for a car wash. The current land use plan for these two properties is proposed commercial.

A public hearing was held on the request of Sean Kennedy representing, F. A. Kennedy Company LLC, of 1821 Spring Arbor Road and the Township of Summit, 2121 Ferguson Road. Sean Kennedy stated that for the past seventeen (17) years the property has been zoned Office and the company has not been successful in filling the space. Recently, the company was approached by a third party to construct a car wash. The applicant presented a rough drawing of the proposed car wash, but noted this is a concept drawing only.

J. Worden described the agreement, which took place in 1989, where a fifty (50) foot buffer was agreed to along South Jackson Road.

R. Erhardt asked if the set back is at the start of the buffer.

J. Worden explained that it could not be in the buffer due to the 1989 agreement.

Applicant, S. Kennedy further added that the Jackson Citizens Patriots' Voice of the People was incorrect: Summit Township received the land that is part of this case from his father.

N. Stopyak asked if the runoff resulting from running a car wash will be retained on site.

J. Worden responded that the car wash will have tanks to contain the runoff and will be cleaned as needed. Further, the buffer zone agreed to in 1989 will remain no matter what the zoning is changed to.

Public Comment:

Greg Bauman of 4500 South Jackson Road spoke in opposition to the rezoning. He commented on preserving the pristine environment in which his home is at. He voiced environmental concerns, light and noise pollution, ground water contamination, traffic, and litter.

Dan Kaser of 2144 Pioneer Drive spoke in opposition of the case. He explained that he was part of the 1989 zoning change from agricultural to office, and how the people of the township fought very hard to keep the agricultural zoning.

Gerarld Moody of 4475 South Jackson Road spoke in opposition stating that he felt this case is worse than eminent domain.

Teresa Moody of 4475 South Jackson Road stated that she and her husband just moved to Summit Township and that she was upset that the township would want to change the beautiful area.

Dan Aroce stated he moved to Summit Township three (3) years ago, and commented that the shopping center and Knights restaurant has done a great job with light and noise pollution. He then added that the noise from the proposed car wash would not be good for the township.

Jean Stewart of 4635 South Jackson Rd. spoke in opposition to the rezoning for reasons of preserving wild life and natural resources, and not wanting to pay higher property taxes. She also expressed disappointment that the township would even consider such and idea.

Sean Lefere of 1804 Wandering Creek expressed concerns over the transition from office to commercial. He asked how the character of South Jackson Road would be maintained. Additionally, he asked if the wetlands owned by the township could be turned into a conservation district.

Steve Hirsch of 5132 N Bardstone Street spoke in opposition stating that with small children he is concerned about how the increase in traffic will affect his family. Additionally, he expressed ground water concerns, as he has a creek on his property.

Denise Burnette of 2109 Cascade Ridge spoke in opposition to the rezoning for her parents whom she was representing and for herself as well. She urged the township to think more about preservation.

Martha Kaser of 4499 South Jackson Road spoke for her parents in opposition to the rezoning and herself. She explained how her mother, Jean Kaser, and Ernest Rogers fought against the zoning in 1988 and 1989. She expressed how the proposed zoning change was not a casual decision. She also expressed concerns if the zoning passed that the property would become trashy and junky looking like the rest of Jackson County.

Applicant, S. Kennedy stated that the property has been owned by his family since 1988.

S. Artz asked why Summit Township was rezoning.

J. Worden, Township Zoning Administrator, recommended the township to seek the same zoning for consistency in zoning. The township does not benefit from any zoning change because a majority of the property is not buildable, and because there is no access to a dedicated road.

R. McQuillan, Chairman, spoke on making a recommendation and getting clarification from the Township Board.

J. Worden commented that the rezoning could be in two (2) motions allowing the Planning Commission to make two (2) recommendations to the Township Board.

R. Erhardt asked if the location of the buildable part of the township property was adjacent to the Kennedy's property.

J. Worden answered that it was, but was unbuildable because of wetlands and set back requirements.

Applicant, S. Kennedy commented on the progress made by Summit Township since the zoning change in 1989.

G. Gancsos asked if the Township Board would look at it as two separate motions since there are two properties contained in the case.

R. McQuillan, Chairman, asked if this was agreeable to the applicant.

Applicant, S. Kennedy, responded that it was not a problem.

Motion was made by N. Stopyak, supported by R. Erhardt, to recommend to the Township Board the denial of the rezoning from Office (O-1) and Suburban Residential (RS-2) to General Commercial (C-2).

A voice vote was taken:

In Favor: N. Stopyak, R. Erhardt, S. Artz, G. Gancsos, R. McQuillan

In Opposition: R. Simmons, D. Hackett, G. Heins

The motion carried.

Case # 06-09-0014 – Site Plan – Vrooman Road between Spring Mill and West Township Line – Single Family Site Condominium – Olivalar, LLC (Cynthia Rider)

A public hearing was held on the request of Cynthia Rider, Olivalar, LLC, of 1505 Kensington Drive. Jack Ripstra spoke on behalf of the applicant and developer of this project. J. Ripstra explained that the property has been rezoned to Rural Non-Farm, and will be developed with 60 single family home units. Each unit will be one acre or greater in size and the property will be served by public water and sewer.

R. Erhardt asked the location for the additional entrance to Spring Mill Road which was requested by the Road Commission.

J. Ripstra responded that the additional entrance would replace unit 4 and enter off Spring Mill, if approved by the Road Commission.

R. Erhardt asked if there was going to be phasing in this project.

J. Ripstra responded stating there would be four (4) phases of development with the road loop not being closed until phase three (3). Lots 1 – 20 will be constructed in phase one; land development through the winter with ground breaking next spring. During the construction of Lots 21 – 36 in phase two, a temporary "T" turn around will be put in place.

Public Comment:

Karen Davie of 4027 Vrooman Road expressed concerns over increased development of the location, traffic increasing, and light pollution.

Motion was made by S. Artz, supported by G. Gancsos, to recommend to the Township Board approval of the site plan for the construction of a Single Family Site Condominium on Vrooman Road between Spring Mill and the west Township Line, contingent upon the letters from the Jackson County Drain Commissioner, Jackson County Road Commission, Michigan Department of Transportation, and the Summit Township Department of Public Works. The motion carried unanimously.

A motion was made by R. Erhardt, supported by R. McQuillan, Chairman, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Dennis Hackett, Secretary
Summit Township Planning Commission