

SUMMIT TOWNSHIP PLANNING COMMISSION

January 20, 2004

MEMBERS PRESENT: Raymond McQuillan, Chairman; Patrick Dunigan, Robert Simmons, Richard Erhardt, James Dunn, Margaret Reason, Stephen Artz; Gordon Heins, Township Board Liaison; and John Worden, Summit Township Zoning Administrator.

MEMBERS ABSENT: Dennis Hackett, Secretary.

The was called to order by R. McQuillan, Chairman, on Tuesday, January 20, 2004 at 7:00 pm in the Township Hall Meeting Room.

A motion was made by G. Heins, supported by M. Reason, to approve, as written, the December 16, 2003 minutes of the Planning Commission. The motion carried unanimously.

A motion was made by R. McQuillan, supported by R. Erhardt, to appoint James Dunn as acting secretary for the meeting. Motion carried unanimously.

R. McQuillan, Chairman, gave instructions to the audience on giving names and addresses when speaking on issues before the Planning Commission.

Case # 04-01-0002 - Rezone to Planned Residential (PR-1) - Build 80 single family and 26 two family homes - Current zoning is Suburban Residential (RS-2) and Agricultural (AG-1) - Art Bruemmer.

A public hearing was held on the request of Art Bruemmer of 2023 Parkwood Way. Mr. Bruemmer is requesting the rezoning of approximately 70 acres from Suburban Residential (RS-2) and Agricultural (AG-1) to Planned Residential (PR-1). He is planning to build 80 single family and 26 two family upper to middle class homes in this area, which is located south of Vrooman Road and north and west of Horton Road in the 3000 block of Horton Road.

Correspondence: Roy and Betty Rider of 2772 Brookside Blvd. are concerned about the preservation of the wetlands and the surface water runoff resulting from the development. Note a copy of the letter was mailed to the Planning Commission prior to the meeting.

Public Comment:

Ralph Leacox of 3993 Englewood stated that he lives next to where Mr. Bruemmer is proposing development and he is concerned with the amount of people that will inhabit the development space and if the land will hold that amount of people. He continued by stating that he is not against development.

Brenda Leacox of 3993 Englewood stated that she lives next to where Mr. Bruemmer is proposing development and she is also concerned with the amount of people that will inhabit the development space. She also is not against development.

Jack Crittenden, of 3181 Happy Valley, stated he has many concerns. He began listing these concerns, stating that he has lived on Happy Valley for 40 years; more wetland on the proposed development than has been stated in the proposal; questioned if Summit Township had the sewage capacity; asked if a traffic study has or will be performed; the impact to Jackson Public

School District; if the new fire station would be able to support this new development. He finished by stating that he is not against development.

S. Artz responded to J. Crittenden's concern on the sewer, stating he had spoken with Mayor Griffin the morning before this meeting and there are no sewer concerns.

J. Crittenden questioned S. Artz's discussion concerning the sewer with the Mayor of Jackson, stating that the sewer system was not part of the City of Jackson but that it was Summit Township.

J. Worden explained that the capacity of the sewer is more than enough for this development. He further explained that with this type of rezoning, the areas of concern stated by Mr. Crittenden are reviewed by the Planning Commission, the Drain Commissioner, the Jackson County Road Commission and other agencies during the Site Plan Review process.

R. McQuillan, Chairman, clarified that the meeting tonight is a request for rezoning only. The vote tonight would not determine the number of lots or the amount of wetlands there would be.

R. McQuillan, Chairman, acknowledged Mr. Crittenden's concerns and stated that in the past, some developers have over-estimated the amount of wetlands and/or drains, and due to this, certain aspects had to be cut from development, but that tonight's vote was for rezoning only.

A request was made by the public to see a copy of the development plan.

A copy of the development plan was posted for the public to view during the meeting.

Richard Davis, of 3189 Happy Valley Road, was concerned about the drainage in the area and the amount of wetlands. He also is not against development.

Essie Garlington, of 4004 Ravenwood, is concerned about the traffic and had missed a doctor's appointment due to being blocked in her driveway by a semi doing timber removal from the development. She requested to know to whom she can complain about this.

J. Worden replied by suggesting that she contact the Jackson County Road Commission at 788-4230.

Brian Weller, of 4054 Horton Road, stated he is not against development, but he is concerned about the number of people that will inhabit the development space.

Fred Gyax, of 2736 Forest Lake Drive, stated that his concern is the additional traffic and the increase in his taxes that will occur as a result of this development. He is also not against development.

Rose Herbert, of 4994 Maple Dale, urges the board to keep the current zoning because people moved to this area for the "green space". She requested that the trees be preserved and the current zoning stay. She also questioned if a property owner had the right to cut down trees that may or may not be in wetlands.

Desmond Herbert, of 4994 Maple Dale, lives adjacent to the property being developed. He stated that he moved to this land because of its agricultural nature. He would like to see Summit Township have good parks that preserve "green space".

Helen Price, of 2804 Brookside Blvd., questioned how a piece of land can be rezoned after the land is already zoned residential; how this development will affect the property value of her home; their if is adequate drainage; what restrictions the developer must follow when constructing this project.

R. McQuillan, Chairman, addressed these concerns raised by H. Price, stating that there are many restrictions that the developer must follow and that these will be enforced.

Robert Barbour, of 3964 Horton Road, is concerned about "green space", traffic, raised property tax, the trees being cut down, and what the timetable for the development will be.

R. McQuillan, Chairman, addressed these concerns, stating that the developer will respond to all the comments and questions after all the public comments have been heard.

Pauline Mygrants, of 3381 Hathaway Lane, inquired if there was a way to put the development to a vote of the residents.

R. McQuillan, Chairman, addressed Mrs. Mygrants' question by stating that the public can petition to reverse a rezoning by a vote of the residents of the Township; however, there is no procedure for an advisory vote to approve or halt a development.

Mrs. Mygrants further stated that she was concerned with the duplex, or two family homes, and that she was additionally concerned with the number of people in the development space. She asked the selling price.

A. Bruemmer, developer, stated that the 2 unit homes would be 1800 square feet and the starting price is \$200,000. These homes will resemble the homes in the Country Club development.

Terry Mygrants, of 3381 Hathaway Lane, stated that his concerns were the amount of traffic generated by the development and why there had to be so many units. He also stated that he is not against development.

R. McQuillan, Chairman, addressed these concerns, stating that the developer will respond to all the comments and questions after all the public comments have been heard.

Jim Biondolillo, of 3338 Vrooman Road, stated he is not against development. His concern is with the potential increase in traffic and with preserving the wildlife in the area.

G.Hines, member, questioned Mr. Biondolillo about what type of wildlife that needed to be preserved in this area.

Mr. Biondolillo was referring to the wildlife on the endangered species list which must be preserved, including a type of woodpecker and a type of snake.

Dirk Dietsch, of 3320 Vrooman Road, is concerned with the potential increase in traffic on Vrooman Road.

Mark Snyder, of 3333 Vrooman Road, is concerned with the access road into this development and the potential increase in traffic.

Joyce Reynolds, of 2780 Brookside, is concerned about preserving the wetlands, floodplain waters, excavations and the increase in traffic.

Roger Peterson, of 2800 Brookside Blvd., is concerned about the number of people that will inhabit the development space. He stated that the developer is proposing to put 15 homes behind 4 existing houses. He feels that too many people will be inhabiting the space and that it is not right.

R. McQuillan, Chairman, again stated that the meeting tonight is a request for rezoning only. The vote by the Planning Commission would not determine the number of lots the developer can create.

Sue Mothman, of 3429 Hathaway Lane, is concerned with the potential increase of traffic. She stated there is a need for a bike path in this area to ensure the safety of children on bikes.

David Vanhoesen, of 3138 Horton Road, is concerned with the number of people that will be added to the area, the wetlands being preserved, and the increase in traffic.

Katie Thayer, of 3140 Happy Valley, is concerned for the young children. She sees the increase in traffic as a possibility for danger to the children riding bikes. She also stated that basements flood in this area when the creek overflows in her backyard; she is afraid with this development that her basement will be constantly flooded. She is also not against development.

Mike Thayer, of 2759 Brookside Blvd., stated his concern on the run off/overflow of ground water in the area. He questioned if adequate drainage has been addressed by the Township.

Eugene Hurd, of 2755 Brookside Blvd., inquired what the pink ribbons on the trees on his property indicate.

A. Bruemmer, developer, addressed his question, stating the pink ribbons are the markings to identify the wetland area.

Fred Marshall, of 4250 Horton Road, stated he has farmland that adjoins the development property. He is concerned about the complaints that the people housed in the development will have with the smells and sounds of a farm. He is also concerned with the increase in traffic.

R. McQuillan, Chairman, felt a clarification was in order and stated that some of the area that the developer owns is already zoned residential but was never developed. The area that has not been developed is zoned (RS-2) and has 26 lots in it.

J. Worden stated that the density is about 4 1/3 living units per acre which is allowed under RS-2 zoning with municipal sewer and water.

Desmond Herbert addressed the board and requested that the vote for this evening be postponed until additional information is available.

R. McQuillan, Chairman, stated the vote would not be postponed and that the only thing being voted on was whether or not the land would be rezoned. The number of units in a given space would be decided upon at a later time and meeting.

A. Bruemmer, developer, stated that the homes will be on lots 90 ft X 160 ft to 400 ft deep. The number of homes built was based on another development of similar size. The time frame for the project is 5 years. The first phase is to build 10 single-family homes. He will develop the land without changing the contour of the land.

John Schmid, of 4320 Horton Road, asked what the Township's Master Plan was for the proposed development.

J. Worden stated that the area is considered low density residential and it fits into the Summit Township Master Plan.

Motion was made by P. Dunigan, supported by G. Heins, to recommend to the Township Board approval of the rezoning of approximately 70 acres from Suburban Residential (RS-2) and Agricultural (AG-1) to Planned Residential (PR-1). The motion carried seven (7) to one (1) with D. Erhardt voting no.

Case # 04-01-0003 - Site Plan Review - Classic Appearances Car Wash - 1359 Old McDevitt - Vern Moorehead applicant.

A public hearing was held on the request of Vern Moorehead, co-owner of Classic Appearances, of 1641 Foye Drive. Classic Appearances is located at 1359 Old McDevitt Rd. Mr. Moorehead stated that the Summit Township Zoning Board of Appeals recently approved a variance for setbacks on the property. He is proposing to tear down an old existing building and put a self-serve car wash in its place. The building is an old Mobil gas station. The gas tanks have been removed from the property and the soil has been tested. Note: the property was declared a Brownfield and the hazards were mitigated to the DEQ's satisfaction.

R. Erhardt, member, questioned if there was any contamination found in the soil upon testing.

V. Moorehead responded, stating there were no major problems found, but that there was some gasoline found in the soil. He stated that additional documentation would be forthcoming with any additional reports that the Board wished to view. He continued by stating that they will be raising the height of the land for drainage purposes.

J. Dunn, member, stated he felt that the proposal was putting the land to good use and he looked forward to the completion of the project.

R. Erhardt, member, also reinforced J. Dunn's statement, stating this piece of property has nowhere to go but up.

A letter from the Road Commission was read, listing areas of concern and needed modifications.

J. Worden handed a copy of the letter by the Road Commission to the applicant, since the applicant did not have a copy of it.

P. Dunigan, member, instructed the applicant to consider an alternate connection to the sewer instead of the connection shown on the site plan.

Motion was made by G. Heins, supported by R. Erhardt, to recommend to the Township Board approval of the Site Plan, contingent upon the letter from the Jackson County Road Commission and approval and compliance with any recommendations from the Jackson County Drain Commissioner.

The motion carried unanimously.

A sketch plan was submitted from Kicking Eagle Enterprises for the proposed rezoning to Planned Residential (PR-1) of 35+ acres north of McCain and west of Paragon Academy to allow the development of attached and stacked site condominiums.

The development would be on 35+ acres, but they have purchased 80 acres in this section. They are requesting to develop single-family site condominiums on the property north of the proposed rezoning.

Motion was made by G. Heins, supported by S. Artz, to allow Kicking Eagle Enterprises (Steve Ladwig) to continue with the rezoning request for a Planned Residential Site Condominium development. The motion carried unanimously.

A motion was made by G. Heins, supported by S. Artz, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

James Dunn Acting Secretary,
Summit Township Planning Commission