

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

Regular Meeting Minutes Unapproved
July 6, 2006

A. CALL TO ORDER

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

Members Present: Les Kopka, George Daubner, Lyle Widmayer, Pete Stumpo, and Jim Samonek

Absent: Mark Neigebauer and Mike Lowery

Others Present: John Enos (Carlisle/Wortman)

B. APPROVAL OF AGENDA

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

Voice vote: ayes all. Motion carried.

C. APPROVAL OF MINUTES – June 1, 2006

Motion made by Samonek and seconded by Widmayer to approve the 06/01/06 minutes as presented.

Voice vote: ayes all. Motion carried

D. PUBLIC HEARINGS - Zoning Enabling Act (PA 110 or 2006)

No public present for public comment. Enos discussed rescheduling the public hearing for the August regular meeting.

E. PUBLIC COMMENT

None.

F. REPORTS AND CORRESPONDENCE

Reports

1. Report of Chairperson:

Kopka advised that Ann Becketl has the Zoning Enabling draft language. Kopka also advised that he spoke to Carl Macomber regarding the site plan non-conformance at Hungry Wolf. Enos advised he would follow-up on the issue as well. Planning Commissioners discussed that the fee schedule for reviews, rezoning, etc. needs to be reviewed.

2. Report of Township Board Representative:

Widmayer advised that the budget has been discussed at the last three meetings and that the Planning Commission has a proposed budget of \$30,000. Widmayer updated the group on the zoning administrator's recent requests for review. Widmayer discussed the latest effort on the newsletter and the Planning Commission's hope to include a survey in the newsletter. Widmayer noted that Carl Macomber is researching gravel or limestone for roadways. Widmayer advised that the Township office size is being discussed and that there may be a need to expand the building for future use. Widmayer noted that a new voting machine was purchased. Widmayer advised that the Township Board meeting was moved to Monday (07/10/06) due to the Fair parade. Widmayer noted that the Benedict rezoning is on hold pending resolution on items in Article 20.0. Enos advised that he would check with Ann Becktel and Ron Mann to see if additional paperwork is needed from Planning Commission.

Kopka indicated that some road grading had been done poorly before chloride was put down. Widmayer indicated that the Township has met with the road grading crew on previous issues and that the road grading crew has not been responsive. Widmayer indicated that a Manchester native, Dave Little, is running for the County position. Widmayer indicated that road conditions are discussed just about every other Township Board meeting. Planning Commissioners discussed road conditions around the Township.

3. Report of Zoning Board of Appeals:

Kopka advised that no meeting had been held.

4. Report of Planning Consultant:

Enos discussed the memorandum to Bridgewater Township regarding their Master Plan amendments (one-page – dated 06/28/06 – prepared by Enos and Paul Siersma). Also included in the Planning Commission packets was a one-page memorandum to Terry Brinkman (Washtenaw County) regarding their Master Plan update for Purchase of Development Rights language (dated 06/28/06 – prepared by Enos and Paul Siersma). Enos advised that he had a copy of the Bridgewater Extraction Ordinance that he has reviewed and found very comprehensive. Enos suggested that the Township should consider revising and adopting the ordinance as a general law ordinance. Planning Commissioners and Enos discussed that Freedom Township and Southwest Washtenaw Council of Governments (SWWCOG) are also drafting an extraction ordinance. Enos discussed the contents of the Bridgewater Extraction Ordinance. Enos indicated that Carlisle/Wortman will revise the content for the Township and that Planning Commission can review and recommend the ordinance to the Township Board. Planning Commissioners discussed SWWCOG's effort on an extraction ordinance. Widmayer inquired how Bridgewater's ordinance would work with Freedom Township's ordinance. Planning Commissioners discussed that Freedom Township is revising their extraction ordinance now.

5. Reports of Committees:

a. SWWCOG:

Daubner updated the group on the following items from the last meeting held 06/14/06:

- Susan Lackey with the County presented information on agricultural preservation and the County Purchase of Development Rights ordinance.
- Police Services – local police services were discussed and the jail overcrowding will be managed through reducing sentences and tethering – three townships are currently not under an agreement with the County for police services.
- Regional Planning – working on consistency in master plans between the Townships.
- Wireless Washtenaw – no news to report.
- Schools – no representation present at the meeting.
- Sharon Township – no representation present at the meeting.
- Freedom Township – no representation present at the meeting.
- Village – working on Downtown Development Authority, bed and breakfast open, Mitchell property being reviewed, and commercial rezoning being considered.
- Manchester Township – reported working on private roads special assessment issues and zoning amendments.
- Bridgewater Township – working on Master Plan and treatment plant is working up to par.

b. Traffic:

None.

c. Township/Village Liaison

None.

6. Correspondence

Kopka advised that the following items had been received:

- Land Division Application copy
- Planning and Zoning News
- WATS – The Vehicle newsletter
- Announcement for Townie Street Party in Ann Arbor scheduled for 07/17/06

G. UNFINISHED BUSINESS

1. Community Survey

Planning Commissioners made a few corrections to the survey and recommended to forward to the Township Board for their review.

2. Private Roads/Special Assessment District

Enos advised that the Township attorney did not like the idea of setting up a special assessment district at the initial set-up of a private road. Enos advised that the attorney is hesitant on the idea if improvements or maintenance issues for a private road are not known. Planning Commissioners and Enos discussed that a special assessment district can be set up when maintenance is needed on a private road. Planning Commissioners discussed the process of setting up a special assessment district. Enos advised that the attorney recommended if a special assessment is needed due to the private road conditions, then the Township should set up a special assessment district. Planning

Commissioners discussed their original reason for the recommendation of setting up a special assessment district at the onset of a private road. Planning Commissioners discussed that the special assessment would be set up with the initial owner of the land and that any future owners would be aware of the special assessment district through the deed restrictions.

Enos suggested that Planning Commission send the amendments to the Township Board with the attorney's comments and the Board can consider the issue. Samonek inquired if any other communities use this method of special assessment districts for private roads. Samonek commented what is the difference between a private road and a community sewer system. Samonek commented that the Township sets up a special assessment district for community sewer systems so why not for private roads for maintenance and improvement issues. Planning Commissioners discussed recommending the amendments to the Township Board. Enos indicated he would write a memorandum regarding the issue. Enos noted that the attorney didn't say to not set up the special assessment districts at the onset of a private road but that the attorney did not see a need for it.

Motion made by Samonek and seconded by Daubner to recommend the approval of the Private Road ordinance as amended implementing the special assessment district at the onset of a private road to the Township Board.

Kopka called for additional discussion. Planning Commissioners discussed that some existing private roads have problems due to not being built properly and not being properly maintained. Stumpo indicated that he is not in support of the proposed change. Widmayer discussed the similarity of a private road to a community sewer system as it relates to the Township responsibility. Kopka called for vote.

Voice vote: ayes – Daubner, Samonek, Widmayer, and Stumpo and nay – Stumpo. Motion carried.

Enos indicated he will prepare a packet of information for the Township Board.

3. Future Growth Discussion - Liaison Committee

Enos acknowledged the potential future development areas map that Ron Mann provided. Enos indicated that the next step would be to take a closer look at what land can actually be developed. Enos indicated he would like to set up a meeting with the Liaison Committee to discuss what land in the Township could be developed and what land could be a candidate for a 425 Agreement. Planning Commissioners discussed the status of the Byrne/Lozelle rezoning request in the Village and the issue of Village Planning Commission members recusing themselves from discussion and decision on the agenda item. Planning Commissioners discussed ideas for the potential future development areas to set up the growth boundary area.

4. Community Wastewater Utility Systems

Planning Commissioners discussed the recent meeting on community wastewater utility systems (CWUS) regarding inspections and enforcements. Planning Commissioners discussed that knowledgeable inspectors present at the build of the CWUS seems to be the key to a successful

CWUS. Enos noted that agenda items G4 Community Wastewater Utility Systems and G5 Ordinance Amendments could be discussed as one agenda item and could be included in one public hearing. Enos reviewed the one-page memorandum and 16-page amendment to the Manchester Township Zoning Ordinance as well as the new general ordinance titled Community Wastewater Utility Systems (yet to be numbered) (prepared by Enos and Paul Siersma – dated 06/26/06). Planning Commissioners reviewed the proposed amendments.

Enos also reviewed the one-page memorandum and 18-page amendment to the Manchester Township Zoning Ordinance related to Public Act 110 of 2006 and Controlled Uses (prepared by Enos and Paul Siersma – dated 06/22/06). Planning Commissioners reviewed the proposed amendments. Enos advised that Planning Commissioners could move for a public hearing for the CWUS, Zoning Enabling Act, and the Controlled Uses at the August regular meeting. Samonek discussed recent State legislation on CWUS and Planning Commissioners discussed that the zoning language needs to be very strict regarding CWUS.

5. Ordinance Amendments - Adult-Oriented Businesses and Zoning Enabling Act (PA 110 of 2006)

Discussed under agenda item G4 (above).

H. NEW BUSINESS

None.

I. COMMENTS FROM COMMISSION

Samonek commented that he received multiple tax bills and inquired why the tax bills for his property could not be accumulated and mailed in one envelope.

Daubner discussed CWUS and Township responsibility. Planning Commissioners and Enos discussed that the homeowner association is responsible to maintain and replace a CWUS but that the maintenance and replacement could fall to the Township which would use the special assessment district to assess the costs to the homeowners. Planning Commissioners discussed that the special assessment district should be set up at the onset of a CWUS. Planning Commissioners wondered if the Township attorney would agree. Enos noted that the Township attorney would need to review the proposed amendments regarding CWUS. Planning Commissioners discussed the State law and the agencies involved in CWUS. Samonek commented he knows of one community that has a staff member to maintain CWUS in the community. Planning Commissioners discussed the importance of properly building and maintaining a CWUS. Stumpo inquired if a builder would guarantee a CWUS. Planning Commissioners discussed that Bridgewater is still pumping and trucking wastewater. Planning Commissioners discussed that 50 to 70% of residents are hooked up to the new system and that the cost for hook up is either \$1,000 or \$2,000 with an assessment of \$100 monthly.

J. PUBLIC COMMENT

None.

K. NEXT MEETING

Next regular meeting – Thursday, 08/03/06 at 8:00 pm

L. ADJOURNMENT

Motion by Samonek and seconded by Widmayer to adjourn meeting at 9:03 pm.

Voice vote: ayes all. Motion carried.

Prepared by, Approved by,

Jennifer Crumb, MTPC Recording Secretary Mike Lowery, MTPC Secretary

Date