

**ANN ARBOR CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
MINUTES OF MEETING
MONDAY, OCTOBER 3, 2015**

I. ROLL CALL

The regular monthly meeting of the Ann Arbor Charter Township Planning Commission was called to order by Chair O'Connell at 7:30 p.m.

Present: John Allison, David Gidley, Lee Gorman, Peter Kotila, Diane O'Connell, Kris Olsson and Karen Mendelson.

Also present: Township Attorneys Sandra Sorini-Elser and Matt Rechten, Township Planner Sally Elmiger, and Township Engineer Eric Humesky.

II. CITIZEN PARTICIPATION

No citizen signed up for participation.

III. APPROVAL OF MINUTES

Corrections to the 9/6/16 minutes: On page 2 in the 5th line after "which" insert "according to Gonzales"; on page 4 in the 3rd paragraph 1st line change "she" to "she's"; on page 5 in the 4th paragraph 2nd line change "Give" to "Given", after "M14-US23" insert "interchange" and in the 6th line after "since" insert "the". **Gorman moved approval of the September 6, 2016 meeting minutes as amended. Olsson seconded the motion. Motion carried. Mendelson abstained.**

IV. COMMUNICATIONS

Allison reported on the September 19, 2016 Board of Trustees meeting. The Board minutes were included in the Commissioners' packets.

V. PUBLIC HEARING

A. Public Hearing to consider a Wetlands Permit for the Arbor North Wetland Restoration Project at 4178 Whitmore Lake Road, parcel #s I-09-05-400-001, 09-05-100-008, I-09-05-100-001, I-09-04- 200-003, to restore wetland basins in agricultural fields.

1. Presentation

Jason Hill with Ducks Unlimited, a wetland conservation organization, reported they received a federal grant from the Fish & Wildlife Service to restore wetlands and grasslands in the western Lake Erie basin to improve water quality. Hill explained they're proposing to restore 14 acres of emergent wetland with restoration designed by the U.S. Fish & Wildlife service in cooperation with Ducks Unlimited. Hill noted they received a permit from the MDEQ to restore the jurisdictional wetland #5; the wetlands are drained by 8 inch clay farm tile which they are proposing to destroy without impacting neighbors. This plan is supported by a topographical survey that shows no impacts off-site. Hill reported they're proposing to build a low level berm with a water level control structure called an Agri-Drain to allow the land manager to dewater the wetland during dry and wet cycles with a secondary spillway so storm events won't wash out the berm. Hill noted there will be no planting in the wetland due to the existing seed bank that will be restored by letting hydrology do the work.

2. Consultant Comments/Planning Commission Comments

Elmiger reported the regulated wetland is a very degraded wetland which will be restored by this project providing wildlife habitat and water quality. Elmiger recommended approval noting no seed mix is a good idea. Attorney Sorini reported the property is subject to a conservation easement approving the wetland restoration project with six conditions. Sorini explained the applicant will need to obtain approval from the building official regarding modification or relocation of the drain tiles including other housekeeping items that need to be addressed before a permit is issued.

3. Public Comment

Sarah Linderman indicated she is an adjacent landowner and asked what kind of protections does she have if something goes wrong and who is liable.

4. Planning Commission Discussion/Action

Attorney Sorini advised that one of the conditions of the conservation easement addresses unforeseen impacts to adjacent land which requires restoration for a period of 15 years. Gorman commented that she is glad to see this is being done and agrees with the conditions of the conservation easement. Kotila asked what the definition of success for this project is. Hill explained they are providing a mix of complex habitat of prairie and wetland for wildlife that will take management over time to be productive and viable. **Allison moved to find the conditions outlined in the consultant's memorandum dated August 22, 2016 indicate the standards for wetland permit have been met contingent upon compliance with the Board's resolution dated October 2015. Gorman seconded the motion which was adopted unanimously.**

VI. OLD BUSINESS

A. Bring back to the table NF-03-16 Natural Features Permit for the Arbor North Wetland Restoration Project at 4178 Whitmore Lake Road, parcel #s I-09-05-400-001, 09-05-100-008, I-09-05-100-001, I-09-04-200-003, to restore wetland basins in agricultural fields.

Elmiger reported the permit is for disturbing the 25' buffer around the wetland for construction of the low level berm and dredging of the wetland. The berm will be seeded and mowed once a year for maintenance. Elmiger noted the rest of the disturbed area will be seeded with a native plant mix. Elmiger recommended approval of the natural features permit. **Gorman moved to approve the Natural Features permit for the Arbor North Wetland Restoration Project. Olsson seconded the motion which was adopted unanimously.**

B. Bring back to the table: ZC-02-16 request for a zoning change from A-1 to PUD for Cornwell Farms 3601 Pontiac Trail, I-09-09-200-014.

Humesky referenced his review letter dated September 29, 2016. Humesky reported the applicant received preliminary approvals from all outside agencies noting that all wells and septic fields, proposed and existing off site, meet the required separation standards. Humesky reported the proposed storm water management system is designed to infiltrate an entire 100 year, 24-hour storm event within four infiltration basins and one infiltration swale. Humesky noted due to existing downstream drainage issues, additional detention volume should be designed at the Northwest Basin. Humesky reported the road through the project will be a private road with proposed vertical and horizontal alignments meeting the Township private road standards.

Elmiger referenced her review letter dated September 29, 2016. Elmiger reported given the location of the property and master plan she finds the proposed density to be reasonable due to the transitional nature of the area. Elmiger indicated the applicant increased the open space area slightly but still encourages increasing it more and making it more usable. Elmiger also noted it's not clear if the applicant is proposing to build the dry-hydrant and that it can only be considered a public benefit if it's actually built.

Heath Hartt, project engineer for Cornwell Development, reported they have permission from the adjacent property owner to install the dry-hydrant. Hartt explained the basin is designed to be dry except for large storm events and will be able to service other properties within the vicinity.

Commissioners discussed the need to increase buffering to the north and east, increase volume to the northeast basin, and allow for an easement for a non-motorized trail along Pontiac Trail. Allison stated he believes the development fails the master plan goals and policies based on the proposed buffering. Olsson stated the development meets the land use patterns in the area with a little bit of clustering and more open space and is an appropriate development for the area. The applicant agreed to combine lots 7 and 8 into one lot and combine lots 20, 21, 22 into two lots to increase buffering to the north, east and south from 30 to 40 feet. The applicant also agreed to increase volume to the northeast basin and provide written consent for the dry-hydrant. **Kotila moved to table ZC-02-16 request for a zoning change from A-1 to PUD for Cornwell Farms to allow time for the Township attorney to draft a resolution and for petitioner to submit a revised area plan. Mendelson seconded the motion which was adopted unanimously.**

C. Bring back to the table: SP-02-16, NF-02-16 and a Tree/Woodland Removal permit Cornwell Farms 3601 Pontiac Trail, I-09-09-200-014, applicant wishes to build a residential development on 42 acres.

Gorman moved to table to next month when the zoning change is considered. Kotila seconded the motion which was adopted unanimously.

VII. NEW BUSINESS - None

IX. ITEMS FOR DISCUSSION

A. Medical Marijuana Grow Operation Ordinance

Gorman stated revisions to the ordinance based on the new State law can be done at any time, so it's not necessary to do now. Elmiger noted the new allowed uses are all commercial and on a much larger scale.

B. Review and reschedule Planning Commission meeting dates for November 2016 and January 2017.

Gorman moved to change the Planning Commission meeting date from November 9, 2016 to November 10, 2016. Kotila seconded the motion which was adopted unanimously.

Gorman moved to change the Planning Commission meeting date from January 3, 2016 to January 9, 2016. Olsson seconded the motion which was adopted unanimously.

X. INFORMATIONAL ITEMS - None

XI. PUBLIC COMMENT

A resident asked who's responsible for maintaining the agri-drain. A resident expressed concern about increased drainage on Warren Court from the Cornwell development. A resident commented that the isolation distances for the Cornwell development should be comparable to current isolation distances of 200 feet from the existing neighborhood. A resident asked why there was no change to lot number 6.

XII. ADJOURNMENT

Gorman moved to adjourn the meeting at 9:23 p.m. Mendelson seconded the motion which was adopted unanimously.