

**ANN ARBOR CHARTER TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
Township Hall – 3792 Pontiac Trail
October 2, 2023 7:30 P.M.**

I. ROLL CALL, ESTABLISH QUORUM

Chair Kotila called the meeting to order at 7:30pm.

Present: John Allison
Richard Bunch
Lee Gorman
Peter Kotila

Absent: Randall Perry
Karen Mendelson

Also Present: Township Attorneys Sinéad Redmond, Sarah Gabis, and Dehani Gordon Lehman; Township Engineer Eric Humesky; Township Planner Sally Elmiger; Building Official and Zoning Administrator Peter Pace; Planning Assistant Jennifer Morris; Supervisor Diane O’Connell

II. CITIZEN PARTICIPATION - None.

1. APPROVAL OF MINUTES

September 7, 2023 Draft Ann Arbor Charter Township Planning Commission Meeting Minutes

MOTION by Allison, support by Bunch, to amend and approve the September 7, 2023 regular meeting minutes as follows:

- **Under Approval of Minutes**, change “special meeting minutes” to “master plan workshop minutes” where that occurs.
- **P. 6, under Commission discussion, 1st bullet point, 1st sub-bullet point, change first two sentences as follows:**
If homes were built to their full building envelope, ~~they would still be 40’ apart~~ they would be at least 20’ apart. There was no situation in which building envelopes were ~~only~~ not less than 20’ (10’ side by side setbacks) apart.
- **P. 9, 2nd line, correct as follows:** . . . that ~~OHM’s~~ Stantec’s hydrologist . . .

Motion passed unanimously by voice vote.

IV. COMMUNICATIONS

**August 21, 2023, Ann Arbor Charter Township Board of Trustees Meeting Minutes
September 18, 2023 DRAFT Ann Arbor Charter Township Board of Trustees Meeting Minutes**

Commissioner Allison reported highlights of the September 18, 2023 Board of Trustees meeting.

V. PUBLIC HEARINGS - None.

VI. NEW BUSINESS - None.

VII. OLD BUSINESS

A. Maple Ridge Site Plan Review

Jim Eppink, Director of Planning for the Maple Ridge Development Group, and Project Engineer Matt Bush, Atwell, were present this evening.

Mr. Eppink said they had resubmitted plans showing:

- Removal of the northernmost monument sign, leaving one monument sign, per ordinance requirements.
- Elimination of lighting on the monument sign.
- Addition of a small pump station building, which will have the same, permanent construction materials as will be used on the residential homes. The size of the building will be approximately 6'x8'.
- All tree placement is now at least 10' from the underground utilities.
- Street names have been revised to relate to maple trees, in keeping with the name of the development.
- Provided sample language relative to irrigation restriction during drought periods, to be included in the PUD documents.

Mr. Eppink said they will continue to work with the Township attorneys on the development agreement. All outside agency approvals have been received.

Referencing her September 23, 2023 memorandum, Township Planner Elmiger highlighted outstanding issues and comments:

1. The small pump station should be added to Sheets 11 and 12.
2. Suggested that the Planning Commission add a condition stating that the materials used in the pump station building will coordinate with the materials used in residential buildings.
3. Suggested Planning Commission discuss Master Deed language regarding irrigation during drought conditions; this should be included in the Resolution of Approval.

Referencing his September 28, 2023 memorandum, Township Engineer Humesky said that the Washtenaw County Health Department has approved the applicants' hydrogeologic study, and did not have any concerns regarding the impact to surrounding wells. However, Township Engineer Humesky had also asked the applicants to look at the hydrogeologic study more conservatively, to show the impacts to surrounding wells under the most conservative situation. The applicants provided more information, which is in tonight's packets, showing that under the conservative situation there might be approximately 2' of drawdown at the closest wells, with no discernible impact to the Barton Hills Village community wells. Additionally, the added language about reducing irrigation during drought conditions further protected nearby wells.

The private wastewater system has been approved by EGLE (Michigan Department of Environment, Great Lakes, and Energy). The PWS still needed to be reviewed in detail by the Township Engineer prior to presentation before the Board of Trustees.

The small pump station has been proposed as already discussed.

The applicants had addressed all the engineering comments, and with all the outside agency approvals that are needed at this point in place, the applicants will need to go to the Board for the private road permit and the private wastewater system permit.

Building Official and Zoning Administrator Pace had no issues with this plan.

Attorneys Redmond and Gabis reviewed the RESOLUTION APPROVING FINAL SITE PLAN in tonight's packets. If approved, the resolution would largely complete the Planning Commission's role in this development. The Board of Trustees will then deal with the private wastewater system agreement, the private road permit, and the land donation agreement.

The resolution also incorporates the other permits and approvals obtained from outside sources. The next step will be the development agreement, which will be drafted by the attorneys, and which will provide a recorded form of all the conditions set forth in tonight's resolution.

Planning Commission discussion and questions:

In response to questions, the applicants gave the following further information:

- Construction will start early next year.
- The private wastewater system package was almost ready to submit to the Board of Trustees; this will be shared with Engineer Humesky.
- The PWS acreage of 4.6 acres as shown on Sheet 17 is accurate.
- There were no apparent issues with the land division. The survey documents were almost complete, and should be submitted soon.
- Commissioner Allison thought the land donation acreage would be 100.2 acres. Mr. Eppink said their calculations showed the land donation acreage totaled 102.9 acres. In any event, the size of the donation will need to be verified before the donation agreement is finalized. Attorney Redmond said the Township would need a survey and metes and bounds description prior to finalizing the agreement.

Commission discussion:

- The PUD Agreement stipulated that the donated land has to be conserved, following the open space preservation guidelines. A subcommittee of Trustees Moran and Allison, and Supervisor O'Connell, will address issues regarding donated land use and make a recommendation to the full Board.
- Chair Kotila supported the restrictions on water use during drought, but who would actually make a pronouncement that a drought was occurring? When would those provisions be enacted? Also, drought was not binary; there were graduated conditions of drought. How could the language address this reality?

Mr. Eppink said that how a drought condition was declared was still to be determined. They did not want the HOA president, for instance, to have the ability to declare a drought.

Commissioner Gorman thought whoever owned the water utility would be responsible for

declaring a drought or imposing water restrictions for other reasons.

After further discussion, the consensus of the Commission appeared to support eliminating the word “drought” in favor of addressing any situation in which *water restrictions* might occur, and to relate water restrictions to those occurring in the City of Ann Arbor, when appropriate. Attorney Gabis agreed. The master deed language could impose whatever water restriction is being imposed on the City. Suggested language might be:

“In the event the City of Ann Arbor declares a water supply restriction, the subdivision will adhere to the same restriction.”

- Commissioner Allison said that his recollection was that all agreements regarding this project would come before the Board at the same time. If that did not happen, it should be clear – as stated in Condition 6 – that there will be no grading, etc., on site until all approvals are complete.
- Commissioner Allison suggested removing Paragraph I in the PUD agreement and replacing it verbatim with Condition 6 of the Resolution – Other Permits and Approvals. This change would fall under Condition 1. Amendment to PUD Agreement.
- Commissioner Allison also suggested changing Condition 2. Approval of Master Deed and Bylaws; as follows:
 - At the end of the first paragraph, change to: . . . for final review and approval by the Township Engineer, ~~and~~ Township Attorney, and Township Board.

The approval of the Condominium Documents should occur at the same time as the Board approved the private wastewater system agreement.

MOTION by Allison, support by Gorman, that the Planning Commission approve RESOLUTION APPROVING FINAL SITE PLAN, MAPLE RIDGE, dated OCTOBER 2, 2023, with the changes as discussed:

- **Remove Paragraph I in the PUD agreement and replace it verbatim with Condition 6 of the Resolution: Other Permits and Approvals.**
- **Change Condition 2. Approval of Master Deed and Bylaws; Private Restrictions; Cost Sharing. as follows:**
 - **At the end of the first paragraph, change to read: . . . for final review and approval by the Township Engineer, ~~and~~ Township Attorney, and Township Board.**

MOTION approved unanimously by voice vote.

VIII. ITEMS FOR DISCUSSION - Master Plan workshop is scheduled for October 24, 2023.

IX. INFORMATIONAL ITEMS - None.

X. PUBLIC COMMENT - None.

XI. ADJOURNMENT - MOTION by Gorman, support by Bunch, to adjourn the meeting. Motion passed unanimously by voice vote. The meeting was adjourned at 8:20 pm.

/cem