

Chairperson Werth called the meeting to order at 4:35pm.

I. Roll Call

Present: Sandra Werth, Chairperson
Matt Ray, Secretary
Tony Bartolotta, Commissioner
Steve Reno, Vice Chairperson
Dave Kramer, Commissioner
Scott Sintkowski, Commissioner
David Hardin, Commissioner

Also Present: Larry Lockwood, Superintendent of Planning and Zoning
Amy Williams, Administrative Specialist
Gary Dovre, Township Attorney

II. Introduction and Welcome – Scott Alef, Planner II

Mr. Lockwood introduced the Township's new Planner II, Scott Alef to the board.

III. Approval of January 22, 2019 2018 Planning Commission meeting minutes as printed.

MOTION AND VOTE

Moved by Reno

*Supported by Bartolotta; Resolved to **APPROVE** the Minutes of the January 22, 2019 Planning Commission Meeting as written.*

MOTION CARRIED UNANIMOUSLY

(7-0)

IV. Approval of March 26, 2019 Planning Commission meeting agenda.

MOTION AND VOTE

Moved by Kramer

*Supported by Reno; Resolved to **APPROVE** the Agenda of the March 26, 2019 Planning Commission Meeting.*

MOTION CARRIED UNANIMOUSLY

(7-0)

V. Approval of Consent Agenda

MOTION AND VOTE

Moved by Kramer

*Supported by Bartolotta; Resolved to **APPROVE** the Consent Agenda.*

MOTION CARRIED UNANIMOUSLY

(7-0)

VI. Public Hearings

1.) Case No. 19-03-01, Zoning Ordinance Text Amendment - Summit 327, LLC (Staff Reviewer – Larry Lockwood)

Request: Proposed Ordinance to amend Waterford Township Zoning Ordinance No. 135-A, by adopting and establishing the Summit Place Overlay Zoning District and the use and development regulations for that District.

Parcel I.D. Nos.: 13-25-200-004, 005, 013 and 036

Applicant: Summit 327, LLC

Applicant or representative present: Rick Rattner for Summit 327, LLC

Mr. Lockwood gave a brief visual presentation of the proposed overlay zoning that would server to provide a mixture of land uses for the redevelopment of the Summit Mall area and will allow owner a wider range of land uses to offer potential developers for this area.

Mr. Rattner added that this was the start of a good process to bring us into a more modern era and redevelop the area. This change will help to market a difficult area and become an economic asset to the Township. In order to encourage redevelopment, we need more flexibility.

During the public portion of the meeting, no one spoke regarding this request.

Board member Bartolotta commented that a mixed use would be a good fit for this property and is excited to see it being redeveloped.

MOTION AND VOTE

Moved by Bartolotta

*Supported by Kramer; Resolved to **APPROVE** Case No 19-03-01 and recommend adoption by the Township board.*

MOTION CARRIED UNANIMOUSLY

(7-0)

2.) Case No. 19-03-02, Zoning Ordinance Text Amendment – Waterford Township (Staff Reviewer – Larry Lockwood)

Request: Proposed Ordinance to amend Waterford Township Zoning Ordinance No. 135-A, by adopting regulations to recognize, define, and provide for residential condominium units that are limited to dwelling buildings or building envelopes.

Applicant: Waterford Township

Mr. Lockwood gave a brief overview. This type of zoning went away in 2010 when the Township ordinances were amended. Developers say that people are looking for this type of development option, which would allow for clustering of condominium units together.

During the public portion of the meeting, the following spoke regarding this request.

James Rosanis of 955 N Cass Lake Rd, #126, questioned if this type of development would still maintain a fire lane.

Mr. Lockwood addressed this question and described standard requirements for road network and hydrants.

Discussion continued among board members and the Township attorney to better understand how these type of developments work and the advantages.

MOTION AND VOTE

Moved by Reno

*Supported by Bartolotta; Resolved to **APPROVE** Case No 19-03-02 and recommend adoption by the Township board.*

MOTION CARRIED UNANIMOUSLY

(7-0)

3.) Case No. 19-03-03, Vertical Bridge Development, LLC – (Staff Reviewer – Larry Lockwood)

Location: 6105 Elizabeth Lake Rd.

Parcel I.D. No.: 13-29-200-022

Requested Action: Requesting Special Approval under Section 2-600.5 and 4-006 of the Waterford Township Zoning Ordinance to allow a Wireless Communications Facility to be established in the R-1, Single Family Residential Zoning District.

Applicant: Vertical Bridge Development, LLC c/o Haley Law Firm, LLC

Applicant or representative present: Mr. Haley on behalf of T-Mobile

Mr. Lockwood gave a brief history and visual presentation to show how when this was first proposed in 2008, the location was at the rear of the property near the river, however when approval was granted in 2011, they had altered their plan per comments from residents to locate the site near the front of the property and with a more stealth design. This approval was not acted upon and T-Mobile is here now to re apply for the same special approval that was granted in 2011.

Mr. Haley said that with most people now using cellular phones as their primary phones and all of the applications available the demand for service coverage has increased considerably since they first looked at this location.

During the public portion of the meeting, the following spoke regarding this request.

Kathy Worthington of 895 Hickory Ridge, Holly spoke on behalf of the family handling the estate. She voiced concerns about the effect this would have on the value of the property, and the location. She further voiced concerns regarding the rental agreement.

Caryn Rainey of 6042 Eldridge questioned how many structures would be located on the site and if any trees would be taken down.

James Rosanis of 955 N Cass Lake Road stated that his aunt owns property adjacent to this lot and her and a lot of the other neighbors object to this location for a cellular tower. He further questioned if the height could be increased at a later date, and if beacon lights were required. He also submitted a petition that they obtained with seven signatures.

Flora Hall of 6157 Elizabeth Lake Road said that she gets great cellular reception and thought this tower is unnecessary, and would be an eyesore. She was concerned with the location of a daycare nearby and the effect it would have on property values.

Mr. Haley addressed all of the concerns brought up by residents.

Attorney Dovre provided the Commission with a detailed analysis and language for a Possible motion, addressing each approval standard under the wireless communication facility ordinance and the supporting evidence, and the findings and conclusions under the special approval ordinance.

MOTION AND VOTE

Moved by Reno

*Supported by Bartolotta; Resolved to **APPROVE** Case No 19-03-02 with conditions, the request for special approval in this case based on the following findings and conclusions under the Ordinance review criteria and considerations, which are based on assessment*

of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

Findings:

- A. *The proposed use is in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.*
- B.1 *The proposed use will be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.*
- B.2 *The proposed use will not have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.*
- B.3 *The proposed use will not result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.*
- C. *The proposed use is not located in any Special Approval use service areas identified and adopted by the Planning Commission.*
- D. *The proposed use will not **impose** an unreasonable burden upon public services and utilities.*
- E. *The proposed use will be in compliance with the regulations of the Zoning District in which it is proposed to be located.*

Conclusions:

- A.1 *The proposed use is of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.*
- A.2 *The proposed use will be compatible with the orderly development or use of adjacent zoning lots.*
- A.3 *Pedestrian circulation will not be hindered by the proposed use.*
- A.4 *Outdoor operations and display in connection with the proposed use will not burden and/or disrupt uses on adjacent properties.*
- A.5 *The natural and surrounding environment will not be negatively impacted by the proposed use.*

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- B. *The proposed use will be within the capacity limitations of the existing or proposed public services and facilities, which serve its proposed location.*
 - C. *The proposed use will be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.*

The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:

1. *Provide the necessary Federal Aviation Administration M.A.C. approval.*
2. *A geotechnical report that recommends the foundation specifications for the tower design shall be submitted at the time of application for a permit with the Development Services Department.*
3. *The finalization of a maintenance agreement with the wireless communications facility shall be coordinated through the Township Attorneys office.*
4. *The applicant shall provide a fall zone letter particular to the new monopine cellular tower design at the time of permitting through the Townships Development Services Department.*
5. *The applicant will work with the Townships attorney's office to prepare and finalize a mutually agreeable removal agreement for the wireless communications facility in the event that the facility is no longer needed.*
6. *Upon application for a subsequent Building Permit for the wireless communications facility, the applicant shall provide further detailed information to the Development Services Department on the model of the proposed Monopine tower structure for final review and approval.*

**MOTION CARRIED UNANIMOUSLY
(7-0)**

VII. Development Reviews

- 1.) Site Plan No. 1336, Lake Pointe Preserve Site Condominium (Staff Reviewer – Larry Lockwood)

Property Location: Vacant Property - 581 S. Winding Dr. – (Formerly Burt Elementary School Site)

Parcel I.D. Nos.: 13-35-126-001

Action: Preliminary Plan Review

Applicant: Burt Development, LLC

Applicant or representative present: Townsend Management

Mr. Lockwood gave a brief overview of the proposed site development at the former Burt Elementary property with visual presentation. They are proposing 42 single family homes

with private roads that will be maintained by the association with landscaping and sidewalks.

Ms. Korn stated that they have approximately five different floor plans and are targeting young families.

Board member Ray questioned if Ledyard had been abandoned by the Road Commission.

Board member Sintkowski noted that the sidewalks just end at the road. He stated that they need to be ADA compliant with ramps. After further discussion, it was recommended by the Planning Commission that, should the time come when sidewalks are provided for the adjacent Lambert's Shore Acres Subdivision, that the Lake Pointe Preserve Condominium Association shall connect to the system along both Sloan Ave. and Woodingham Ave. and that this requirement should be addressed in the Condominium's Master Deed prior to recording at the Oakland County Register of Deed's office.

MOTION AND VOTE

Moved by Reno

*Supported by Bartolotta; Resolved to **APPROVE** Site Plan 1336 with the following condition:*

- 1.) All sidewalks within the Condominium development shall be constructed to meet ADA requirements.**
- 2.) Should the time come when sidewalks are provided for the adjacent Lambert's Shore Acres Subdivision, the Lake Pointe Preserve Condominium Association shall connect to the system along both Sloan and Woodingham Avenue's. and that this requirement should be addressed in the Condominium's Master Deed prior to recording at the Oakland County Register of Deed's office.**

MOTION CARRIED UNANIMOUSLY

(7-0)

VIII. Discussion

IX. All Else

X. Adjourn

Chairperson Werth adjourned the meeting at 6:25pm