

**ADA TOWNSHIP PLANNING COMMISSION  
MINUTES OF THE OCTOBER 16, 2014 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, October 16, 2014 at 7:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

**I. CALL TO ORDER**

Meeting was called to order by Commissioner Korth 7:00 p.m.

**II. ROLL CALL**

Present: Korth, Lowry, Easter, Jacobs, Lunn, Leisman, Butterfield

Staff Present: Planning Director Ferro.

**III. APPROVAL OF AGENDA**

Motion by Easter, supported by Jacobs, to approve the agenda.

Motion passed unanimously.

**IV. APPROVAL OF MINUTES OF SEPTEMBER 18, 2014 MEETING**

Korth referred to VII. New Business, No. 2. Request for Change in Site Plan Approval Conditions, pertaining to installation of landscaped islands in cul-de-sacs...., third paragraph from the end, and stated that he had said, and would like to add: "this would set a dangerous precedent".

Motion by Jacobs, supported by Butterfield, to approve the minutes with correction as presented.

Motion passed unanimously.

**V. PUBLIC HEARINGS**

**Request for Special Use Permit to allow an accessory building to have 16 foot high sidewalls, greater than the 14 foot maximum permitted by right in the RP-1 Zoning district, 8880 Edlyn Lane, Parcel No. 41-15-25-100-046, Heartland Builders, for David and Carol Shapiro**

David Shapiro presented information regarding the proposed accessory building. He stated that the building would be used to store his motor home and a classic car, and get them out of view. He stated he plans to do an environmentally conscious job of landscaping around the building, to hide as much of it as he can, and continue to plant trees over the next few years. He also stated he plans to use neutral colors to help it blend in.

Ferro stated the accessory building rules state that the Planning Commission may approve accessory building height greater than 14 feet, measured to the top of the side walls, if it determines that the size, height, placement, design and appearance of the accessory building will be compatible with the surrounding area. He stated this application requests approval of sidewall height two feet higher than the normal 14 foot limit. Ferro stated the building is proposed to be 24 feet wide by 50 feet long, with 1,200 square feet, and the nearest corner of the building is 55-1/2 feet from the rear property line. Ferro stated the accessory building rules actually permit the building to be as close as 20 feet from the side and rear property lines, and that the setback proposed in this application is quite a bit greater than the minimum required.

Ferro stated the subject property and surrounding properties in the neighborhood are largely wooded; there's been some clearing of trees and grading on the Shapiro property for the home site and the accessory building. Ferro stated on one of the site plan sheets he drew a boundary of the approximate

clearing limits based on his visual observation of the site. He referenced photos of the existing site conditions contained in the Commission members' packets.

Ferro stated the elevation sketches submitted by the applicant show what the proposed exterior building materials would be, including a shingled roof with a fairly low pitch. He stated the planning commission should keep in mind that if the sidewalls were two feet shorter than proposed, the building would be permitted without any special use permit required, and it could be as close as 20 feet to the rear property line.

Ferro stated there is still some undisturbed vegetation for some distance from the rear property line that provides some visual screening of the building; the nearest adjacent home is about 75 feet from the property for a distance of about 120-125 feet to the pole barn.

Ferro stated the main criterion for the Commission to consider is whether the additional two feet in height that's proposed has a significant impact on whether this building is in keeping with the character of the surrounding area. Ferro also stated that detached accessory buildings, including pole barns, are a fairly common feature in rural parts of the township, including in the vicinity of the subject property.

Ferro stated that if the Commission determines that some mitigating measures are needed to make this building compatible with the character of the area, options to consider include requiring additional evergreen screening along the rear property boundary, addressing the exterior materials with color that makes the building less conspicuous, and also imposing some conditions related to exterior lighting.

Korth opened the public hearing.

Pam Bevak, 9020 Bailey, stated her property is behind 8880 Edlyn Lane, and from her property they can see the equipment that is on the land now. Her concern is that a building of this height will be fairly visible. She stated so much of this lot has been cleared for the home and the accessory building that a lot of the trees that would have been a natural shield for this building have been removed from the site. She stated the stripping of all the larger trees has destroyed the natural beauty of the land, and the loss of the wildlife habitat is a huge concern of her and other people in the area. She stated she thinks a building of this size is going to jeopardize the character and compatibility of the surrounding properties.

Bevak stated if the building is going to have 16 foot height sidewalls it's going to be highly visible for the people surrounding that property, and particularly the Tavarone's whose property backs up to this property. She stated she believes the distraction on the view will affect property values.

Bevak added that the lack of screening because of all the trees that have been removed is a huge negative impact. She stated that for these reasons, she requests that the maximum height restriction be enforced, or we work together to find an equitable solution to this. Bevak stated she would like to see an agreement put in writing, and she thinks the neighbors need to have that protection in place. She stated another concern she has is the lighting for such a tall building. She suggested some type of stipulation needs to be put in place that would possibly limit the type of lighting.

Rich Bevak, 9020 Bailey, stated the neighbor immediately to the east of the proposed building, Mr. Tavarone, is very ill and the family is pre-occupied and not able to focus on this matter.

Korth closed the public hearing after no further comments.

Following discussion, it was moved by Leisman, supported by Lowry, to approve the request for a 24 foot by 50 feet accessory building with 16 foot high sidewalls as depicted in the application subject to three conditions:

1. Within seven months of issuance of the building permit the applicant shall plant and maintain the following screening:
  - a. additional screening along the rear lot line to provide additional visual screening as approved by the Township Planner; and
  - b. mature plantings on the back and side of the building consistent with page 8 of the August 13, 2014 site plan with a revision date of October 16, 2014 as presented, subject to modification as approved by the Township Planner.
2. Requirement that the building exterior be of an inconspicuous color consistent with the color of the home, and similar to the color depicted on pages 7 and 8 of the site plan.
3. That any exterior building lighting on the front of the building or next to the access door be motion-sensor controlled, and that there be no other lighting on the back or sides of the building.

Motion passed unanimously.

## **VI. UNFINISHED BUSINESS**

None.

## **VII. NEW BUSINESS**

### **Site Plan Review, Single Family Site Condominium Development of 18 Condominium Lots and 1 Single Family Exception Parcel on 43.75 acres, 8295 and 8405 Bailey Dr. SE, Parcel No's 41-15-26-300-031 and 41-15-26-400-022, Revado Hills, LLC**

Brad Rottschafer, President, Mosaic Properties, gave an overview of developments his company has built in the Township, and described the proposed 19 lot development.

Jim Ferro, Planning Director, stated the site is a little over 43 acres in the Rural Residential zoning district. Ferro stated the area has been zoned for 2-acre lots since 1990, and that prior to 1990, it was zoned for 1 acre lots. Ferro stated the property is now occupied by one single family home and outbuildings shown on the existing conditions sheet. He noted the house and one of the outbuildings would be kept on one of the home sites, and one of the outbuildings would be removed. The existing driveway access shown on the existing conditions sheet wouldn't be used except for one lot to the south of the pond.

Ferro stated the site is hilly and wooded, with evergreens on the eastern triangular portion of the site, and mature hardwoods on the rest of the site. Ferro stated the County soil survey report shows the area is mostly very fine sandy soil with high permeability, so it doesn't produce a lot of surface runoff, although adding private road pavement and driveways does create some storm water management challenges on steep ground, which is one of the areas getting a pretty close look by both he and our Township engineer. Ferro stated the site is divided into three drainage zones, which are outlined on a drawing in the storm water management calculation report in the packets. One of those sub-zones conveys storm water to the existing pond with a pre-treatment and infiltration area created upstream from the pond to encourage infiltration of as much storm water as possible, so that less volume gets to the pond. He noted the pond has an existing outlet pipe that currently discharges a small amount of water, and the pond will be equipped with a new outlook structure with a controlled release. He stated the Township storm water ordinance designates this area of the Township in the highest of three performance zones for management of storm water with the intent of protecting the integrity of small streams. Ferro stated there are a couple of small stream corridors on the site that are either seasonal or possibly even year-round with some groundwater flow in them at a very small rate; and those eventually end up in a larger stream that runs parallel to Bailey Drive that ends up at the bottom of Bailey Drive where it goes under Pettis and into the river, and by the time it gets down there it is a year-round flowing creek.

Ferro stated the lots all conform with the two-acre minimum lot size and 200 foot minimum lot width, and that the building footprints shown on the site layout are not exact proposed footprints for locations, they are simply intended to demonstrate where likely home placement locations are on each site.

Ferro stated there is a provision in our private road regulations that says the maximum number of home sites that can be accessed by a private road system that has only one connection point to a public road is 15 homes, provided that the Planning Commission may increase that limit up to no more than 20. The language in the ordinance states that in cases where the Commission determines that adherence to the 15 lot limit would result in an excessive amount of grading and removal of existing vegetation, and would adversely affect the character and appearance of the development site and community overall, if a second point of access were put in, that 15 limit can be raised to 20 to avoid the necessity of putting in a second access. Ferro stated the private road side street could potentially be extended to achieve a second point of access to Bailey Dr. He stated it's a judgment call whether having another access to Bailey Drive would or wouldn't be detrimental to the character of the area considering its Natural Beauty Road designation, especially considering that the Road Commission requires exit and entry tapers at the entry. Ferro noted that as Rottschafer pointed out, another option would be for lots 1 and potentially 17 and 18 to have driveways off Bailey Drive, which also would have an impact on the character of the road frontage.

Ferro stated he identified in his staff report some concern that some of the lots are going to require a lot more excavation and clearing of trees in order to install driveway access that meets our 10% grade limit. On Unit 13, for example, he asked the applicant to prepare a sample driveway plan to show how certain lots could be accessed with driveways that comply with a 10% grade limit. To reach the building site on Lot 13 would require filling additional area for the driveway of as much as 10 to 15 feet of fill, which would have side slopes and would require a whole lot more clearing.

Ferro stated the overall density is pretty much maximized at two-acres per unit. The overall impression he has gotten in reviewing the plan is that the goal was to get as many home sites as possible, at the expense of the character of the site. Ferro stated that with the site zoned for 2-acre lots, we don't have a lot of discretion as to whether it should be approved or not; it's not a PUD; it doesn't require re-zoning. Ferro stated he has recommended postponing action so we can take a closer look at storm water management. He noted he has asked the applicant to take a look at downstream drainage conditions and whether there are any capacity limitations in some of the culverts under driveways and the road in the downstream area along Bailey Drive.

Rottschafer stated in regards to the discussion about the storm pipe parallel to Bailey Drive, there's competing interest there, one being the drainage and the other being maintaining the trees along Bailey. He stated they originally designed the storm pipe as close to Bailey as it can be because that's where the drainage comes out, and the pipe really wants to be at the low point. He stated in response to feedback from the Township they pushed the storm pipe back 60-75 feet from Bailey Drive.

Ferro stated the original plan had it closer to the road and the engineer has succeeded in getting it pushed a little further from the road.

Baker stated they are confident they can install the storm pipe within a 20-25 foot width, and avoid some existing trees.

Lunn asked if infiltration catch basins will be used.

Baker stated they are proposing the entire pipe along Bailey Dr. to be permeable pipe, and that they can also install leaching catch basin structures.

Baker described the rest of the storm water management system.

Ferro asked how maintenance access to the basins would be provided.

Baker stated it would require non-traditional means, probably either walking or using some type of small vehicle.

Lowry asked what kind of soil they are working with in the development.

Baker stated it is primarily sand, some of it is fine size, but that's good pervious soil, and we're counting on that for our storm water treatment facility.

Leisman stated as part of doing the Planning Commission review we're supposed to look at general compatibility of adjacent property in regards to the islands, screening, buffering, and he can't do that without a visit to the site. He stated his other concern is whether the lot layout conforms with zoning standards, including lot width and depth-to-width ratio. He stated he would be interested in getting more analysis and information on how those lots comply with standard zoning.

Ferro stated if you look at lot 16 it has a triangular point at the bottom of it that serves no purpose other than coming up with two acres. It is of no use or value to the lot owner, and that's one of his criticisms of the plan. It's just a very awkward shape that doesn't follow grade contours; it's simply shaped that way to achieve two acres. Ferro stated he did discuss early on with the applicant whether using clustered lots and common area would make more sense on the site; for example, putting the existing pond in a common area that would potentially be accessible by any resident and somehow be made an amenity.

Korth stated he is disappointed that we have this kind of a gap in our zoning given the trajectory of the last 15 to 20 years of planning, with the intent being to have a higher degree of involvement at the Township level to insure a quality product. He stated we just had a metes-and-bounds by-right development that was painful for the community and this commission. He stated he would like to explore the issue of PUD site condos versus non-PUD's, and visit a site condo that was not a PUD versus a PUD site condo, so that we can digest the issues regarding the different types of approval process.

Korth asked if there has been a riparian features assessment done for this site plan with respect to our ordinance; and at minimum, if there has been, can we see a plan that shows the riparian lines. Another disappointment of his is that there is a complete lack of notice to the public and the neighbors. Korth stated he would like to walk the site. Korth commented that the site layout is very traditional in its isolationist-type quality. He stated if you're really going to put this many houses in at this time he would like to see a buffer zone around the entire property that allows the people of this community to be able to walk around this area without having to go down the private road to Bailey.

Ferro stated he believes the only riparian feature that shows up on our riparian area inventory map is from the existing pond downstream, which is a couple hundred feet.

Korth stated I was under the impression that the assessment of the true water features on site was specific to the time at which the site was looked at.

Ferro stated there is nothing else on the site with year-around flow other than the output from the pond; everything else is intermittent during wet weather, but the soil is so sandy that there's very little runoff from the site now.

Korth asked if we could request that notice be given to adjacent property owners or is that something that's outside our ability.

Ferro stated he believes the Commission has the authority to hold an advisory hearing, a non-required public hearing. He stated we can notify neighboring owners.

Motion by Leisman, supported by Lowry, to postpone action on this site plan review, that an advisory hearing be held in November, notice be sent by the Township, and we arrange for a site visit.

Motion passed unanimously.

### **VIII. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS**

#### **Update on Village Plan Implementation**

Ferro presented an overview of what has been accomplished thus far in regards to the Envision Ada plan.

### **IX. PUBLIC COMMENT**

None.

### **X. ADJOURNMENT**

Motion by Lunn, supported by Easter, to adjourn the meeting at 9:30 p.m.

Motion passed unanimously.

Respectfully Submitted,

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Susan Burton, Township Clerk

SB/dr