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Planning Commission
Hamburg Township
Electronic audio/video meeting pursuant to Executive Order 2020-15 (COVID-19)
Wednesday, April 15, 2020 7:00 P.M.

1. CALL TO ORDER:

The meeting was called to order by Vice Chairman Muir.

Present: Bohn, Hamlin, Koeble, Leabu, Muir & Priebe

Absent: Muck

Also Present: Scott Pacheco, Township Planner & Amy Steffens, Planning & Zoning Administrator

2. PLEDGE TO THE FLAG:

Amy Steffens, Planning & Zoning Administrator gave instruction on the procedures to be used for the conduct of the Electronic audio/video meeting.

3. APPROVAL OF THE AGENDA:

Motion by Koeble, supported by Hamlin

To approve the agenda as presented

Roll Call Vote: Ayes: 6 (Bohn, Hamlin, Koeble, Leabu, Muir & Priebe) Nays: 0 Absent: 1 (Muck)
MOTION CARRIED

4. APPROVAL OF MINUTES:

a) February 19, 2020 Planning Commission Meeting Minutes

Motion by Hamlin, supported by Priebe

To approve the minutes of the February 19, 2020 meeting as presented

Roll Call Vote: Ayes: 5 (Bohn, Hamlin, Koeble, Leabu, Muir & Priebe) Nays: 0 Absent: 1 (Muck)
Abstain: 1 (Leabu) MOTION CARRIED

b) February 26, 2020 Planning Commission Joint Meeting Minutes

Motion by Priebe, supported by Bohn

To approve the minutes of the February 26, 2020 special meeting as presented

Roll Call Vote: Ayes: 6 (Bohn, Hamlin, Koeble, Leabu, Muir & Priebe) Nays: 0 Absent: 1 (Muck)
MOTION CARRIED

5. CALL TO THE PUBLIC:

Vice Chairman Muir opened the call to the public for any item not on the agenda. Hearing no response, the call was closed.

6. OLD BUSINESS: None

7. NEW BUSINESS:

- a. OSPUD 20-001 Public Hearing: Amendment to the Mystic Ridge Planned Unit Development approved by the Township Board on May 21, 2002. The amendment requests would if approved, change the approval language for the PUD requiring Scully Road to be open for public automobile traffic prior to issuance of 98 land use permits.

Mr. Jim Haeussler, applicant, stated that one of the issues that was in question the last time they appeared before the Planning Commission was the opening of Scully Road. Since that time, the road has been turned to "private" and Webster Township has made it more difficult to get out that way. Jeff Wilkerson owns the property to the east of the Mystic Ridge property, and they do have easements for trail as well as utilities. In speaking with that property owner, they too are required to have two access points. They have been discussing adjoining the properties and working together for the second access in lieu of Scully Road. They are requesting that prior to them getting 98 land use permits, and if the property development to the east gets approved, that the Planning Commission allow that to serve as their second access in lieu of Scully Road. If the property to the east is not developed, they then could go through Scully Road.

Scott Pacheco, Township Planner, stated that what we are looking at tonight is changing the approval language of the open space PUD for the Mystic Ridge Subdivision. He reviewed both the current language as well as the proposed. He reviewed the history of the project. The applicant is looking for a little more flexibility so he can find a secondary access point that is not Scully Road. There is no proposal at this time for the property to the east. There has been no application nor approval so we do not want to link this to something that may or may not be approved. Instead we would like to link a statement that says that if there is an alternative secondary point of access then the Township would be willing to look at it. There is already a roadway easement that dead ends to the east so there would not be a need for a site plan amendment. We would make sure all of the traffic concerns, etc. are handled in that process. We would not be linking this to any other project at this time. We do not know what is going to be approved on that adjacent site. With the proposed language, we are still linking this to the 98 permits.

Vice Chairman Muir opened the public hearing.

Pacheco stated that we received two correspondence regarding this request. The first is from Jim Inloes of 5500 Seney Circle in support of the Mystic Ridge PUD amendment request (see letter attached as part of these minutes). The second correspondence is from Rob Mitzel of 9140 Woodenshoe Ct., Brighton, who is also in support of the amendment (see attached email as part of these minutes).

Jeff Wilkerson, property owner to the east, stated that he wishes to express his support of the request by Mystic Ridge. He feels that it is in the best interest of everyone within the Mystic Ridge subdivision. They can do a nice job providing that second point of ingress/egress as well as connecting walking trails and other amenities.

Mark Bilek of 5944 N. Trailside Lane stated that he has been a resident for approximately 10 years. He stated that he endorses the amendment and asked how long it would take to open the secondary Road. Pacheco stated that all the applicant is doing right now is amending the open space PUD. Right now, all he can build is 98 homes. If he did not

want to build more than the 98 homes, he would never have to build a secondary access point. Although there is no time limit, there is a financial reason why the developer would want to build the total 177 homes.

Hearing no further comment, Vice Chairman Muir closed the public hearing.

Commissioner Koeble asked for clarification on whether the change is contingent upon the property to the east being developed or the developer purchasing that property. Pacheco stated that all this does is change the open space PUD approval to state that the developer could open Scully Road or a secondary access point. He needs to do either of those to get more than the 98 permits. It does nothing else. It does not say anything about the adjacent development. He could put through another secondary access point through another portion. We would look at that when it is proposed. We are just giving him an option to look at alternatives.

Commissioner Priebe questioned the location of the road if it were to go through to the development to the east. Mr. Haeussler stated that it would be Sanctuary Ridge straight through to the east. Further discussion was held on how it would come through the adjacent property. Pacheco stated that we would have to look at all of the aspects, but we are simply opening it up so that it is not just Scully Road, but it could be an alternate access point.

Commissioner Hamlin asked if the access would go through to the Thompson Pond or the property to the east, would it come before the Planning Commission for review. Planner Pacheco stated that it would have to come before the Commission. The property to the east as Thompson Pond is being proposed as a PUD and would come before the Commission. If Mr. Haeussler simply purchased the property, then we would look at it as part of their site plan. The Private Roadway Ordinance may require Planning Commission approval as well.

Commissioner Hamlin suggested that we add language to indicate that before permits for the 99-177 homes are issued, after an agreement is reached *and the secondary access road is completed*. This would ensure that we have a road before those additional permits are issued. Commissioner Bohn stated he would support the language with the suggested change. He stated that it is a good change, a good project, and he would like to see it move forward.

Discussion was held on the momentum of the project.

Motion by Hamlin, supported by Bohn

The Planning Commission recommends approval of the proposed Amendment to the Open Space Project and Site Plan to the Township Board as follows:

Contingent upon access being provided via Scully Road or an alternative second point of access to the project. In no way would Hamburg Township issue more than 98 Land Use Permits for Single Family Homes in the development until an agreement is reached between the developer, Hamburg Township, and any other required agency regarding ingress and egress off Sully Road or an alternative second access roadway to the project and the approved access is complete.

Roll Call Vote: Ayes: 6 (Bohn, Hamlin, Koeble, Leabu, Muir & Priebe) Nays: 0 Absent: 1 (Muck)
MOTION CARRIED

- b. ZTA 20-001 Minimum House Size Discussion and review of possible Zoning Text Amendment to revise the required minimum house size regulations in sections 7.6.1 Schedule of Area, Height, and Bulk Regulations and section 8.5 Single-Family Dwellings, Mobile Homes, Prefabricated Housing

Scott Pacheco, Township Planner, stated that in 2019 and 2020 this topic was brought up by the Township Board to address the growing need and preference for smaller housing. He discussed the historic housing trends. Smaller houses offer a lower maintenance and energy costs while preserving the benefits enjoyed by other single-family homes, such as more privacy and independence. Small houses have become a more popular housing choice for both Baby Boomers and Millennials. He stated that in the past there have been court cases on minimum house sizes. The

courts have said that there has to be some sort of reason necessary for health, welfare and safety to determine why we are stating a minimum house size. A 1,000 square foot house size has been shot down a few times as being not necessary. However, most communities do have a 1,000 square foot minimum. He reviewed the requirements of the surrounding communities. He reviewed the pros and cons of restricting house sizes. He discussed the existing Building Codes and the Hamburg Township Zoning Ordinance. He discussed the options for potential amendment to the minimum size regulations. The Commission could also choose to leave the minimum house size at 1,000 square feet if you believe that our current regulations were put into place to protect the health, safety and welfare of the community and you do not believe that smaller homes should be built on properties. If you are going to reduce the minimum size of the structure, staff would also recommend removing the other following regulations: 1. Dimensional regulations in 8.5.2 requiring that the front side or rear elevation be a minimum of 20 feet across which will limit the design of the housing and would not serve a viable purpose to protect the health, safety and welfare of the community members. 2. Under the Architectural regulations in 8.5.7 it currently states "The dwellings shall not have less than two (2) exterior doors with the second one being in either the rear or side of the dwellings." If the commission reduces the minimum home size, staff believes this requirement should be revised to state "The Dwellings over 600 square feet shall not have less than two (2) exterior doors with the second one being in either the rear or side of the dwellings.

Commissioner Priebe stated that her concern is how small is too small, particularly with seniors with walker and other equipment they require to maneuver safely.

Commissioner Leabu stated that he is in favor of changing the minimum requirement and would agree with the removing the dimensional and architectural regulations. With regards to Commissioner Priebe's concern, the size is not as important as the width of the hallways and doorways. He discussed simply removing the minimum size and let the market determine the need. He stated that the Building Codes would determine the health and safety issues.

Commissioner Hamlin agreed with Commissioner Leabu and stated that his preference would be to not impose any specific regulation and eliminate the dimension and architectural regulations. He further discussed our ECHO ordinance which addresses the door openings and hallway widths, etc.

Commissioner Bohn also agreed that we should let the market decide the minimum.

Vice Chairman Muir agreed with the other commissioners and stated that the next step would be for staff to draft the changes and schedule the public hearing.

Planner Pacheco stated that he will also go back and review the ECHO and Cottage Housing ordinances as well to ensure that they comply with the change.

8. ZONING ADMINISTRATOR'S REPORT:

Amy Steffens, Planning & Zoning Administrator, stated that Brittany Stein is on maternity leave. She had a baby boy and mom and baby are doing well. Eric is our Temporary Zoning Coordinator and will be in the office as soon as we are able to re-open. He comes to us with a lot of experience and will be with us for 18 weeks.

Steffens stated that there are a lot of free workshops and webinars available as training opportunities and encouraged everyone to take advantage of those. If there are any that are not free, just let her know and she will get you signed up. We will continue to send information along to the Commission. Planner Pacheco stated that the National APA conference will be on-line this year and encouraged everyone to take a look at their program when it is available.

The Commission thanked staff for their assistance in setting up this electronic meeting.

9. ADJOURNMENT:

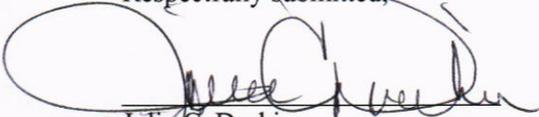
Motion by Priebe, supported by Koeble

To adjourn the meeting

Voice Vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

The Regular Meeting of the Planning Commission was adjourned at 8:18 p.m.

Respectfully submitted,



Julie C. Durkin
Recording Secretary

The minutes were approved as presented/Corrected: 5-20-20



Ron Muir, Vice Chairperson