

City of Howell
Planning Commission
February 15, 2017
611 E. Grand River Avenue
Howell, MI 48843

The regular meeting of the Planning Commission was called to order by Chairman Streng at 7:00 p.m.

COMMISSIONERS PRESENT: Paul Streng, Maryanne Vukonich, Mayor Nick Proctor, Jan Lobur, Erin Britten, Robert Spaulding and Jeanette Ambrose.

COMMISSIONERS ABSENT: None.

ALSO PRESENT: City Manager Shea Charles, Community Development Director Tim Schmitt and Recording Secretary Deanna Robson.

GUESTS: Jennifer Koch, Zach Rogers, Tom Cok.

APPROVAL OF MINUTES, JANUARY 18, 2017 REGULAR MEETING

MOTION Ambrose, SUPPORT by Lobur, "To approve the January 18, 2017 regular Planning Commission meeting minutes as presented." MOTION CARRIED (7-0).

CALL TO THE PUBLIC

None.

STAFF REPORT

Timothy Schmitt, Community Development Director, provided updates in addition to his staff report, stating that demolition has begun on some vacant and dilapidated units at Howell Estates; the property management company has identified more units for demolition; rehabilitation is planned for several units; and the management company has been quick to address problems identified by City staff.

Mr. Schmitt also informed the Commission that the City of Howell has been chosen to participate in the Training Wheels project, through MDOT (Michigan Department of Transportation), which should begin this summer. Staff will also invite regional partner communities.

NEW BUSINESS

#17-001 – LAND DIVISION 1028 BOWER STREET

Community Development Director Schmitt introduced the topic by stating that the applicants are requesting to split off the southern 70 feet of their current residential lot and create a new lot; they hope to sell their current home and build a new residence on the new lot to the south. Staff recommends approval.

Commissioner Spaulding confirmed that both lots would be larger than a standard city lot. Mr. Schmitt displayed lots in close proximity to others that were previously subdivided. Commissioner

Ambrose inquired about the sheds and trampoline, and their impact on the property division. Jennifer Koch, 1028 Bower, responded that the current fence line is six inches inside of the proposed split parcel that houses the current residence (Parcel A). She added that they purchased the property in 2009; love the lot because of the community and sidewalks; and their family grew so they need a bigger home, but want to remain in the same area with the same schools.

Commissioner Vukonich noted that the proposed split is a buildable area; and that the setback would not be 25 feet, but would be the average of the neighboring lots. Mrs. Koch responded that she will bring building plans to staff that meet all City ordinance requirements; adding that they expect to build two story brick home, which will be consistent with other homes in the neighborhood. Commissioner Spaulding confirmed that the proposed lot dimensions are proportional to other City lots.

MOTION by Lobur, SUPPORT by Vukonich, “To approve the land division application (#17-001) for 1028 Bower Street, parcel identification number 4717-25-301-055 to create a new 70 foot by 127.5 foot lot fronting onto Bower Street, to the south of the existing home.” MOTION CARRIED (7-0).

#16-033 – TEMPORARY USE AND SITE PLAN – 416 NORTH NATIONAL

Commissioner Ambrose formerly recused herself, asking to step down and speak to the Commission as the property owner.

Community Development Director Schmitt stated that the property is located at the end of North National Street and the proposal is to install a groundwater cleanup building on site to address historical contamination from Gould Electronics. The structure will be long-term temporary, and intended to look like a residential garage. Staff recommends that the Planning Commission review the matter after ten years in order to reaffirm the approval and obtain an update on the progress of the cleanup. Once the cleanup has been completed, the structure should be removed unless the current property owner requests otherwise. Board of Zoning Appeals variances are required for the additional structure and its long-term temporary use. Staff recommends approval subject to the conditions outlined in the memo.

Chairman Streng noted that a ten year approval has been requested, but the Commission is only allowed to grant a one year approval. Director Schmitt responded that the request has been brought to the Planning Commission in order for the Commission to formally express its intent to the Board of Zoning Appeals.

Mayor Proctor inquired if the ground contamination issue was contingent on the sale of the property and Mrs. Ambrose, 425 N. National, responded that she has closed on the purchase of the property and is the current owner.

Commissioner Britten inquired if the cleanup will be ongoing 24 hours per day. Tom Cok, 6456 Ginger, Pinckney, and employed by Mannik and Smith Group, stated that the cleanup will be non-stop except for maintenance and repairs. Commissioner Spaulding asked if Mannik and Smith Group will be responsible for operations and maintenance. Mr. Cok replied affirmatively. Mrs.

Ambrose stated that she was aware of the contamination prior to purchasing the property; purchased the property in order to ensure that the cleanup is done correctly; believes that it makes sense to place the cleanup structure on this particular property; is pursuing a new access agreement to the property with attorneys for Gould Electronics; and wanted to have on record that she had hoped to have solidified that agreement before the February Planning Commission meeting. She voiced her concern about requests for perceived simple fixes that the Gould attorneys have not yet agreed to, such as placing the structure ten feet from the property line on National Street and constructing the garage to look like a residential garage. She added that she will be attending a pre-bid meeting on February 21, 2017 that she has been invited to by Mannik and Smith Group. Mrs. Ambrose began addressing questions to Tom Cok and Zach Rogers from Mannik and Smith Group regarding the proposed cleanup with the intention of ensuring that the Commission had the most accurate and current plan information. Chairman Streng indicated that all questions should be addressed to the Commission during the meeting and contractor negotiations should be conducted separately. Mrs. Ambrose addressed the Commission stating that she believes the decommissioned wells should be removed in order to return the property to its original state after the cleanup has been completed. She also expressed concern about access to the driveway after heavy snowfalls, and City Manager Charles responded that staff will modify the approach and find a solution for excess snow storage. Mrs. Ambrose inquired if a variance would be required for the additional residential driveway and Mr. Schmitt responded that the variance would not be necessary because the driveway would not be considered residential. Mrs. Ambrose expressed concern regarding the large trucks expected to be servicing the property. Chairman Streng asked the Mannik and Smith Group contractors if there were any obstacles to granting Mrs. Ambrose's requests/concerns and Mr. Cok responded that all of the requests could be accommodated; adding that cutting the wells down low is not an issue, but they would advise abandoning and filling the wells according to health department codes. He also stated that they could look at the specifications for carbon change outs in reference to the concern about large trucks.

Mayor Proctor inquired as to the depth of the water table and the representatives from Mannik and Smith Group responded that the water table is at a depth of 10-14 feet, while the contaminants are at a depth of approximately 50 feet. They also confirmed that there is no impact to the cemetery. Short discussion followed regarding hydrants and wells in the cemetery.

Commissioner Spaulding asked if any property is being transferred or if there is an easement/agreement for Gould Electronics to use the property. Mr. Cok responded that the Gould attorneys are working on an agreement/easement in case the property is transferred to a new owner while the cleanup is still being performed.

MOTION by Proctor, SUPPORT by Spaulding, "To approve the Temporary Use and Site Plan (#16-033) for Mannik and Smith Group at 416 North National for a temporary structure to allow groundwater contamination clean up, *subject to the following conditions:*

- **Board of Zoning Appeals approval of necessary variances for excessive accessory structures and the length of time for the proposed Temporary Use.**
- **Applicant or future operator of the site returning to the Planning Commission in the duration set by the BZA.**

- **Removal of structure and driveway when remediation is complete, unless a written request from the property owner to maintain the structure is submitted to the City.” MOTION CARRIED (6-0). Commissioner Ambrose abstained.**

REDEVELOPMENT READY COMMUNITIES IMPLEMENTATION

Community Development Director Schmitt informed the Commission that staff has received the Report of Findings from the Michigan Economic Development Corporation for the Redevelopment Ready Communities program, and the City has a 12-18 month timeframe to work toward full implementation. Items will be brought to the Planning Commission for review and/or approval at most upcoming meetings in order to obtain full certification.

Commissioner Ambrose inquired how the program will help the City and Mr. Schmitt responded that a couple of the major benefits are that participation will facilitate grant programs within the City and the City will receive additional support and marketing.

Mayor Proctor asked about the timeline and Mr. Schmitt responded that the official timeline is 12-18 months, but staff would like to address all of the remaining certification requirements by the fall of 2017.

There was consensus among the Commission regarding staff’s plan to achieve certification.

PLANNING COMMISSION BYLAWS

Director Schmitt stated that there are no major changes proposed to the Planning Commission Bylaws, other than reducing the number of Commissioners from nine to seven.

Chairman Streng requested a change in Section 6 (Hearings), under Rules of Conduct, item E that the word “may” replace the word “shall” in the rule which states: “For large hearings, a time limit of three (3) minutes per person shall be placed on public comments.”

MOTION by Proctor, SUPPORT by Lobur, “To approve the Planning Commission Bylaws as amended and outlined.” MOTION CARRIED (7-0).

OLD BUSINESS

APPROVAL OF MINUTES, NOVEMBER 16, 2016 REGULAR MEETING

MOTION Proctor, SUPPORT by Spaulding, “To approve the November 16, 2016 regular Planning Commission meeting minutes as presented.” MOTION CARRIED (7-0).

2016 PLANNING COMMISSION ANNUAL REPORT

Community Development Director Schmitt noted that the 2016 Planning Commission Annual Report is the same as was presented in January 2017; and that the Redevelopment Ready draft report did not indicate that any changes should be made at this time. Mayor Proctor noted that Jan Lobur and Maryanne Vukonich were recently reappointed to the Planning Commission and their terms should be updated to April 30, 2018 and April 30, 2020 respectively.

MOTION by Ambrose, SUPPORT by Spaulding, “To approve the 2016 Planning Commission Annual Report.” MOTION CARRIED (7-0).

MOTION by Spaulding, SUPPORT by Ambrose, “To adjourn the meeting at 7:56 p.m.” MOTION CARRIED (7-0).

Deanna Robson, Recording Secretary