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CHARTER TOWNSHIP OF WATERFORD  
NOTICE OF PLANNING COMMISSION REGULAR MEETING  
TUESDAY, JANUARY 26, 2021 and 4:30 P.M.

Due to the COVID-19 epidemic declared by the Director of the Michigan Department of Health and Human Services, **this meeting will be held by electronic remote access that provides 2-way telephone or video conferencing** as permitted by and in accordance with the Open Meetings Act as amended by Public Act No. 228 of 2020.

**Planning Commission Pre-meeting - 4:00**

Agenda Review

**Planning Commission Meeting - 4:30**

- I. Call the Meeting to Order  
Chairperson Werth Called the meeting to order at 4:33p.m.
  
- II. Roll Call  
Present: Sandra Werth, Chairperson, remote from Waterford, MI  
Steve Reno, Vice Chairperson, remote from Escanaba, MI  
Matt Ray, Secretary, remote from Waterford, MI  
Tony Bartolotta, Commissioner, remote from Waterford, MI  
Dave Kramer, Commissioner, remote from Waterford, MI  
Scott Sintkowski, Commissioner, remote from Waterford, MI  
  
Absent: Colleen Murphy, Commissioner  
  
Also Present: Jeffrey Polkowski, Superintendent/ Planning  
Scott Alef, Planner II  
Amy Williams, Departmental Aide  
Rob Merinsky, Director/Engineering  
  
Public Present: Approximately 2
  
- III. Approve the Agenda of the January 26, 2021, regular meeting of the Planning Commission as printed.

**MOTION AND VOTE**

Moved by Bartolotta

Supported by Reno: Resolved to **Approve** the January 26, 2021 Planning Commission Meeting Agenda.

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
( 6-0 )**

- IV. Approve the Minutes of the December 15, 2020, regular meeting of the Planning Commission as printed.

**MOTION AND VOTE**

Moved by Kramer

Supported by Bartolotta: Resolved to **Approve** the December 15, 2020 Planning Commission Meeting Minutes as written.

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE**

( 6-0 )

## V. Approval of the Consent Agenda

**MOTION AND VOTE**

Moved by Ray

Supported by Bartolotta: Resolved to **Approve** the Consent Agenda.

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE**

( 6-0 )

## VI. Site Plans and Public Hearings

**1. Special Approval No. 19-10-01, Independent Living Facility**

**Parcel I.D. No. 13-16-478-001**, T3N, R9E, SEC 16 N 400 FT OF E 544.5 FT OF SE 1/4 OF SE 1/4 5 A W331

**Parcel I.D. No. 13-16-476-006**, T3N, R9E, SEC 16 PART OF SE 1/4 BEG AT PT DIST N 01-20-00 E 936.00 FT & N 88-30-30 W 544.50 FT FROM SE SEC COR, TH N 88-30-30 W 280.00 FT TO CEN LINE OF CLINTON RIVER, TH WLY & NLY ALG SD LINE TO PT LOC N 01-20-00 E 400.00 FT & N 88-30-30 W 250.00 FT FROM PT OF BEG, TH S 88-30-30 E 250.00 FT, TH S 01-20-00 W 400.00 FT TO BEG 2.90 A

**Requesting:** Special Approval to permit an Independent Living Facility within the R-M2 Zoning District

**Property Location:** West side of Crescent Lake Road Opposite of Crestbrook Drive

**Property Zoned:** R-M2, Multiple Family Residential

**Applicant:** R.L. Slade Custom Homes

Applicant or representative present: Robert Slade, and Patrick McWilliams

**Mr. Polkowski** gave a brief history for this proposed 4 story senior independent living facility. This was originally approved in 2003, and although the developer has made some minor changes, it will require a variance for the number of units. He further stated that the airport will require a navigation easement and recommend that the entire building be constructed to achieve a 25d8 noise reduction from outside to inside noise levels.

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

**Marc Wilson** of 5023 Ridge top voiced concerns against this development for losing natural space and feels this will have an impact on his property and property values in this area.

**Mr. Slade** said that he would try to leave all the oak trees that they can along the river. There is a definite need for this type of development and that he feels that this will be an asset to the Township.

**MOTION AND VOTE**

Moved by Kramer

Supported by Reno: Resolved to **approve 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 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.
- 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.

Conditions:

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. All department comments will be completed to the satisfaction of department staff.
2. Any required variances be granted by the Zoning Board of Appeals.

3. An aviation easement, as indicated by the Oakland County Airport, be granted to the County of Oakland.
4. A disclosure be provided to all tenants/lessees within the development.
5. The entire building be constructed to achieve a 25d8 noise reduction from outside to inside noise levels.
6. The project must connect to and allow access through to the pedestrian pathway network.
7. The area of land located with the Future Right-of-Way is to be dedicated to the Road Commission for Oakland County.

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
( 6-0 )**

**2. Text Amendment No. 21-01-01 –Modify uses permitted in C-3 and C-4 zoning district**

This amendment to Waterford Township Zoning Ordinance No. 135-A that is proposed by the Township Planning and Zoning Superintendent and the Development Services Department Director, would amend the Zoning Ordinance by modifying the Permitted Uses After Special Approval within the C-3, General Business District and C-4 Extensive Business District to allow Elder Care Facilities with Special Use Approval.

**MOTION AND VOTE**

Moved by Bartolotta

Supported by Reno: Resolved to forward a **favorable** recommendation in Case No. 21-01-01 to the Township Board, to amend the Zoning Ordinance for the C-3, General Business and C-4, Extensive Business Districts on the findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by the Township Staff, and members of the public.

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
( 6-0 )**

**3. Text Amendment No. 21-01-02 – Modify waterfront setback related to principal building**

This amendment to Waterford Township Zoning Ordinance No. 135-A that is proposed by the Township Planning and Zoning Superintendent and the Development Services Department Director, would amend the Zoning Ordinance by limiting the building setbacks to the average shoreline setback of principal buildings within two hundred (200) feet in both directions as calculated by the Building Official, except otherwise permitted in the Zoning Ordinance.

**MOTION AND VOTE**

Moved by Ray

Supported by Bartolotta: Resolved to forward a **favorable** recommendation in Case No. 21-01-02 to the Township Board, to amend the Zoning Ordinance for waterfront setbacks based on the findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by the Township Staff, and members of the public.

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
( 6-0 )**

VII. Discussions

VIII. All Else

**1. Election of Officers**

**MOTION AND VOTE**

Moved by Bartolotta

Supported by Kramer: Resolved to re-elect Sandra Werth as Chairperson, Steve Reno as Vice Chairperson, and Matt Ray as Secretary.

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
( 6-0 )**

IX. Adjourn the Meeting

Chairperson Werth adjourned the meeting at 5:05p.m.

The public may participate in each meeting through GoToMeeting by computer, tablet or smart phone using the following link: <https://global.gotomeeting.com/join/142685181>

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<https://global.gotomeeting.com/install/142685181>

You may also dial in using your phone:

United States (Toll Free): 1 866-899-4679

United States: 1 517-317-3116

Access Code: 142-685-181

Members of the public will only be able to speak during the during the public comment period at the end each public comment agenda item and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Division to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

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