



10405 Merrill Road
P.O. Box 157
Hamburg, MI 48139
(810) 231-1000
www.hamburg.mi.us

Supervisor Pat Hohl Clerk Mike Dolan Treasurer Jason Negri Trustees Bill Hahn, Patricia Hughes, Chuck Menzies, Cindy Michniewicz

PLANNING COMMISSION MEETING
Wednesday, October 16, 2024, at 7:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Commissioner Muck called the meeting to order at 7:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD:

1) **PRESENT:**

John Hamlin
Patricia Hughes
Victor Leabu Jr
Deborah Mariani
Ron Muir
Jeff Muck, Chair
Joyce Priebe

2) **ABSENT:**

none

APPROVAL OF MEETING AGENDA for tonight.

Approval Motion made by Commissioner Mariani, seconded by Commissioner Muir, to approve the agenda as presented.

Vote: Ayes (7)

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF THE MEETING MINUTES

Approval Motion made by Commissioner Leabu, seconded by Commissioner Priebe, to approve September 18, 2024, Planning Commission Meeting Minutes with corrections as noted by Commissioners Muir and Hamlin.

Vote: Ayes (7)

VOTE: MOTION CARRIED UNANIMOUSLY

CALL TO THE PUBLIC

Sarah Bennett- 10582 Livingston St. Spoke on the apartment size of the project being like to adjacent lots. She stated that the apartments were huge in comparison to the surrounding single-family homes that surround this project. One of the Township Board Members requested that the buffer between the homes and this apartment complex be increased. According to Sarah, she stated that she did not feel that the developer met this request since they only met the zoning requirements for the required buffer while they did not increase it. Second, she said that it only appears that grass and fence exist between the apartments and the surrounding homes. She said she doesn't feel that the developer should be able to include the trees on neighboring lots as their required landscape buffer between these two uses. Third, Washington Street entrance and sidewalk that goes to the gas station project as the access to the Lakeland Trails pathway. In the past, the Livingston County Road Commission said that no sidewalks could be installed on Washington and Livingston Streets. If that is still the case, then this stated access will not be available for residents use to access Lakeland Trails. She then posed a question regarding the pump station connected to the gas station, if this project which depends on this station is moving forward but the gas station is not. What then happens?

Brenda Vibbart-10564 Hall Rd. One, she spoke about the fence that will be between the single-family homes and the apartment complex. She stated that it should not be up to each individual homeowner to maintain their side of this fence. She wants the fence to be set back far enough that if any trees fall on the fence, they will not be responsible for its replacement. Two, she wants to ensure that no one will be able to walk through her property so she wanted to propose that the buffer fence should keep running past her parcel to keep teens from accessing residential homes from the Hoskins abandoned property. Three, she asked about any noise reduction devices to reduce sound from the community pool. Fourth, she mentioned that this property will be sandwiched between two gun ranges and they will need to let their renters know about this off-site noise, so they don't bombard the police with unnecessary noise complaints.

Dustin Hitchings- 10530 Hall Rd. One, complimented that the developer for creating a 20 feet setback buffer near his property. Two, he was dissatisfied to see that they did not keep the tree buffer recommended by the planning commission from all parts of his parcel. Three, he stated that this GPUD project has a 30% density increase which doesn't match the Village Center. Four, he mentioned the traffic study and that Commissioner Hughes shared her knowledge regarding a project being an F grade project, and that this site would be such during rush hour.

Megan Osborne- 10548 Hall Rd. One, mentioned that the developer is relying on the single-family homeowner's trees as their landscaping buffer despite that they are falling in the current windstorms. She is concerned that the developer is only proposing to place bushes in between her home and their project as their landscaping buffer.

OLD BUSINESS

1. PPAM #24-001 Final Site Plan Review (PCPUD) for the Lakeland Crossings on Learning Ln. (15-25-400-048)

Chair Muck welcomed David Rohr to present this project from the past to the present. At the last meeting, the planning commission members wanted the developer to address some issues and now they are back to address those issues. The fence being installed around the whole apartment complex and the size of the buffer between the homes and the project. Finally, they increased the lighting in the courtyards and the parking lot, while providing a photometric site plan.

Chair Muck welcomed the owner to the podium, and he said that they listened to the Planning Commissioners regarding their needs for this review, to approve it. He said that their civil engineer was present to address any of the commissioners' technical questions. Chair Muck invited the commissioners to ask questions, comments or motions about this project. Commissioner Leabu said that he complemented their choice in light fixtures, but he wanted to speak about the brackets being contemporary.

Commissioner Hamlin asked if all the lighting fixtures were pole mounted. The engineer said there are lights affixed to the apartment buildings that are porch lights that are operated by the tenants. The pole mounted lights will be located near the sidewalks. Commissioner Leabu asked how tall the poles were and one of the developers said 12 feet. Hamlin clarified that the site plan showed 14 feet, and the developer said she stands corrected. Leabu said he would like to see the pole heights to be 12 feet, and the developer said he would take note of this light pole height request. Commissioner Priebe thanked and complimented the developer for following her notes from the meeting minutes last month. Chair Muck asked a clarifying question of the developer regarding the residents' comments earlier about using the residents' vegetation as the project's buffer requirements. Muck asked David if this meets our zoning ordinance landscape requirements or should the commissioners ask the developer to enhance the buffer along the borders. There are old trees that might fall over or die, leaving these residents with open views of this complex. According to the owner, this project will plant all of the trees shown on their landscape plans for screening purposes and they are not counting the neighboring single family home property's trees as part of their requirements.

Commissioner Hughes asked Priebe what the requirements regarding the Lakeland Trail access were. Access to the Lakeland Trails shall be to the west through the Village Center and have them identify the sidewalk to the end of their property since they do not own anything else. The engineer came up to the podium to clarify that that some existing sidewalks exist onsite, and they are shown on the site plan off Washington St. Muck stated that he hoped that the Township Board and Township Supervisor would work with the county on street scape and the downtown pedestrian traffic. This is something that will need to be addressed at the Township Board level as we see these developments come in downtown. He said that was his opinion and he was not looking for that to be included in the motion.

Commissioner Priebe asked the commissioners if they need to add lighting for pedestrian scale lighting to the park to allow safe pedestrian access to the conditions for the final site plan for this project. Leabu and David said that had been satisfied.

Approval motion was made by Commissioner Priebe, seconded by Commissioner Muir, that the planning commission recommends approval for the final GPUD site plan as shown on this project plans to the Township Board because the project as conditioned is consistent with the requirements of the General Planned Unit Development regulations and will be able to meet site plan review standards of the zoning ordinance as discussed at the meeting tonight and presented in the staff report with the following conditions of approval:

Condition 1: Prior to the issuance of a land use permit, all appropriate approvals from local, county, state and federal agencies, including, but not limited to, Hamburg Township Fire, Assessor, and Public Works Departments,

the Livingston County Road Commission, Drain Commissioner, and Health Department, and the Michigan Department of Environmental, Great Lakes and Energy, and Transportation shall be received.

Condition 2: A development agreement including Master deeds and bylaws will be submitted for this project. This agreement will be reviewed by the Township Attorney. This agreement shall include a cross-access agreement that allows public use of the private roadways, sidewalks and parks within the project.

Condition 3: The new lighting fixtures presented, including the bollards, are acceptable and the height of the light poles shall not exceed 12 feet.

Roll Call Vote: Ayes (6) Mariani, Priebe, Leabu, Muck, Muir, Hughes

Nay (1) Hamlin

VOTE: MOTION CARRIED

NEW BUSINESS

1. Consideration of the repeal of the Zoning Ordinance Section 36-434 -Cottage housing planned unit development (CHPUD).

Chair Muck opened the meeting to David. David explained that he had given the commissioners a copy of the existing ordinance as well as the proposed ordinance. He stated we have two redundant ordinances that said the same thing. It was recommended by Commissioner Hughes to repeal the original cottage housing since it was largely covered in the newly updated ordinance. At the last meeting, there was no objection to doing this repeal. David is looking for a recommendation from the commissioners to take to the Township Board, in favor of repealing this second section of the cottage housing ordinance.

Approval motion made by Commissioner Hughes, seconded by Commissioner Priebe, to recommend to the Township Board to repeal Section 36-434 to 36-438 Cottage Housing Planned Unit Development (CHPUD).

Vote: Ayes (7)

VOTE: MOTION CARRIED UNANIMOUSLY

2. Proposed Amendments to PZTA #24-0004 Zoning Ordinance, Article 3, Section 36-482 Sign regulation enforcement.

Chair Muck opened the public hearing to David. David explained that this request came from Parks and Recreation Department for code enforcement and infraction penalties. Chair Muck stated that he sits on the Park and Recreational Board. He stated that signage enforcement needed to be clarified so staff and residents knew where signage could be placed, and how long it could stay there. We have had several

large events going on in the community on Merrill, and we needed to clean up the signage ordinance to get it on the books. Muck said he appreciated the work of Deby Hennerman. Commissioner Hamlin asked if this was all new. Chair Muck and David said no but that the park application and this ordinance needed to be clarified regarding the size, duration and placement of such signage. Commissioner Priebe asked if this was an ordinance that was ready to make a motion on or is this just something for us to look at? David told her that this was something that they could make a motion on since this was a public hearing. The redlined document is showing what changes are being made to this sign ordinance. Commissioner Priebe said that since this is a public hearing, it should be opened up for discussion from the public.

Chair Muck opened the call to the Public on this PZTA #24-0004 Zoning Ordinance, Article 3, Section 36-482 Sign regulation enforcement. No one came to the podium, so Chair Muck closed the call to Public.

Chair Muck opened the meeting to the commissioners.

Approval motion made by Commissioner Priebe, seconded by Commissioner Mariani, to propose revisions to Article 3, Section 36-482 Sign Regulation Enforcement as presented in tonight's meeting.

Vote: Ayes (7)

VOTE: MOTION CARRIED UNANIMOUSLY

- 3. Zoning Administrator's Report-** we will not have any agenda items for November as of today. We will be looking to do the 5-year review of the Master Plan in January.

Commissioner Hamlin wanted to state that he got a copy of the traffic study for the Lakeland Trails Apartments, and it appears that we will be getting a four-way stop intersection. He said that this is not good. Some communities hire a traffic engineer on their behalf to interact with MDOT and since we are having a lot of these projects coming into this area, we might want to hire a traffic expert to review these studies and help with the traffic flow from this new area. Commissioner Leabu said he agreed with Hamlin. Commissioner Hughes asked David if the developer pays for these traffic studies. She said she didn't think that the engineers were out there onsite to check the flow numbers. David agreed that these traffic impact studies are difficult to understand. David admitted that we don't have a lot of say or power in this process. By having a third-party contractor engineer review, we might have a little more involvement in our communities traffic management. David agreed that this sounded like a good idea. Commissioner Priebe asked if around a bout would be a better plan than a four way stop for this intersection. Chair Muck agreed that this would be a good idea as well. He asked David to take this back to the Township Supervisor to have this discussion about the recommendation to have an outside firm or engineer analyze these studies on behalf of the township.

ADJOURNMENT

Approval motion by Commissioner Hughes, seconded by Commissioner Hamlin, to adjourn at 8:43pm.

Vote: Ayes (7)

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as corrected: 2-19-2025



Commissioner Jeff Muck, Chairperson