

CITY OF NEW BALTIMORE PLANNING COMMISSION
MEETING MINUTES
TUESDAY, January 24, 2023 AT 7:00 P.M.
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Location: City of New Baltimore
36535 Green Street, New Baltimore, MI 48047

Present: Michael Wojciechowski, Chairperson
Ed Koneczny
Jack Dailey
Duane Gaedcke
Thomas Goldenbogen
Eric Haydamack
Laurie Huff
Stuart Meyer

Also Present: Tom Semaan, Mayor
Stephen Cassin, City Planner
Bill Klaassen, Building Official
Jacob Dittrich, Council Liaison

Absent: Mike Anulli

CALL TO ORDER: Chairman Wojciechowski called the meeting to order at 7:30 p.m.

ROLL CALL: Dailey, Gaedcke, Goldenbogen, Haydamack, Huff, Koneczny, Meyer and Wojciechowski were present.

PUBLIC DISCUSSION: – None

APPROVAL OF MINUTES: 11/22/23

MOTION by Goldenbogen supported by Haydamack to approve minutes as presented. No additional discussion.

MOTION carried.

APPROVAL OF AGENDA:

MOTION by Goldenbogen supported by Huff to approve the agenda as presented. No additional discussion.
MOTION carried.

SITE PLAN ITEMS:

1. Public Hearing, SALU #328-10-22, Willow Creek Estates Site Condos, County Line

MOTION by Haydamack supported by Meyer to open the public hearing at 7:32 p.m.
MOTION carried.

Bill Thompson, 17001 19 Mile, Clinton Township, representing Mr. Nardone, applicant. Thompson noted the preliminary planning commission approval has expired. We have received approval from DEQ, we have to have money purchase wetland credits.

Chairman Wojciechowski noted Project Control Engineering had no objection to the plans.

Angela Fresh, 37380 Woodland Drive, commented on the project and noted she and many neighbors are opposed.

Brian Marsh, Six Rivers Land Conservancy, noted there is a conservation easement in place and we want it to stay in place. He provided a map showing the conservation easement.

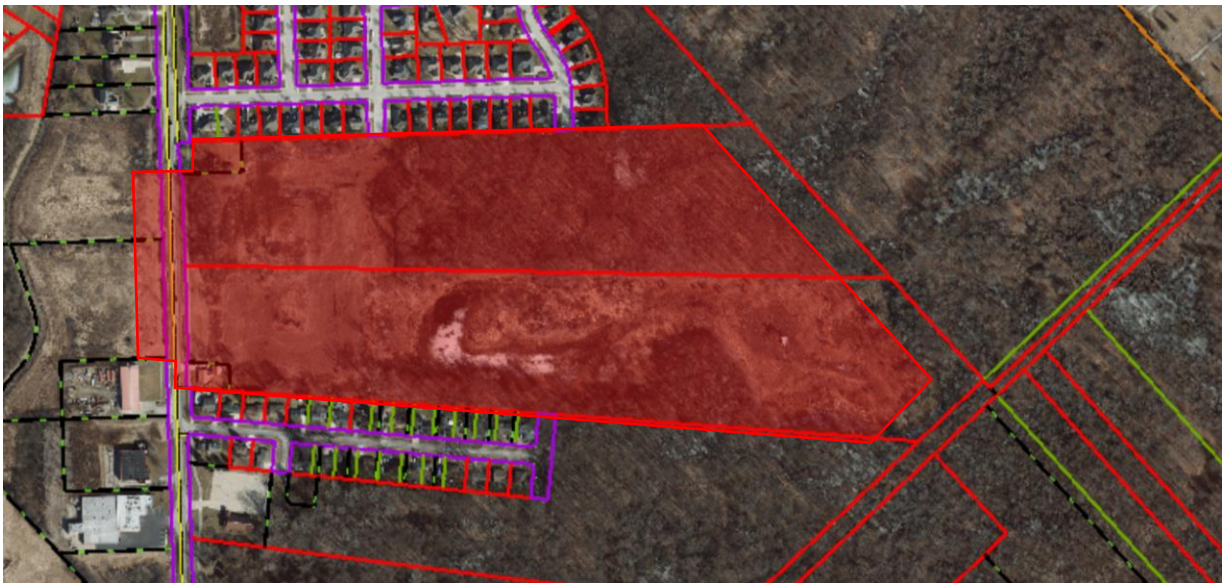
Mr. Cassin provided his review and recommendation.

Special Land Use Review

Project Name: Willow Creek Estates Site Condominium Subdivision
Zoning: R-70, Residential
Location: East side of County Line Road, North of Green Street
Property ID #: 15-07-301-036 and 15-07-301-003
Applicant: Pierro Nardone
Review Date: November 12, 2022

Proposal

The subject properties contain approximately 12.87 acres of land and are currently zoned R-70, Single-Family Residential. The applicant is requesting approval to construct a 43-lot site condominium subdivision. Access will be provided from County Line Road and the existing single-family development to the north.



2020 Aerial View of Subject Property

Compliance with the New Baltimore Zoning Ordinance

Section 60.25 of the Zoning Ordinance allows site condominium subdivisions as a special land use in any single-family zoning district, subject to the following items being submitted:

- a. A boundary survey of the site condominium subdivision site.
- b. A plan delineating all natural and man-made features on the site, including, but not limited to, drains, ponds, lakes, streams, floodplains, wetlands, and woodland areas.
- c. The location, size, shape, area, and width of all condominium units and common areas and the location of all proposed streets.
- d. A copy of the master deed and a copy of all restrictive covenants to be applied to the project. Such deeds shall include an acceptable means of converting the project to a platted subdivision, under the provisions of Act 288 of 1967, at some future date.
- e. A utility plan showing all sanitary sewer, water, and storm drainage improvements, plus all easements granted to the city for installation, repair, and maintenance of all utilities.
- f. A street construction, paving and maintenance plan for all streets within the proposed condominium subdivision plan.
- g. A storm drainage and stormwater management plan, including all lines, swales, drains, basins, and other facilities.

Review Procedures

The New Baltimore Zoning Ordinance requires that the review process for site condominium subdivisions be completed in two phases:

Preliminary Review – In the preliminary review phase, the Planning Commission shall review the overall plan for the site, including basic road and unit configurations and the consistency of the plans with all applicable provisions of the zoning ordinance. Plans submitted for preliminary review shall include the information specified in items a, b, and c, above.

This required information has been provided.

Final Review – After receipt of preliminary plan approval, the applicant shall prepare the appropriate engineering plans and apply for final review by the Planning Commission. Final plans shall include all information specified in items a through g above. Furthermore, such plans and information shall be reviewed by the city attorney, engineer, and applicable county and state agencies.

This will need to be submitted and approval prior to final approval.

Review Criteria

- The development of all site condominium subdivisions shall observe the applicable yard setback and minimum floor area requirements of the zoning district where the project is located. The density of

development of the project shall be no greater and spacing no less than would be permitted if the property were a platted subdivision.

Consistent with the R-70 zoning district, all proposed lots will have a 70' width at the front setback line, and will have a minimum lot size of 8,400 square feet. Furthermore, all proposed setbacks meet the R-70 zoning district requirements.

- All streets and roads in a site condominium subdivision shall conform to the standards of the City of New Baltimore Land Division and Subdivision Ordinance if the roads are to be dedicated to the public or standards and requirements of the City of New Baltimore Engineering Ordinance if private. Public streets shall be required, when necessary, to provide continuity to the public road system. All other improvements in site condominium subdivisions shall meet the standards of the City of New Baltimore Land and Subdivision Ordinance.

Street within the development will have a right-of-way width of 60 feet, and a paving width of 28' which is in compliance with the New Baltimore Land Division and Subdivision regulations. In addition, 5' wide public sidewalks are indicated on both sides of the street within the development. A sidewalk has not been shown along County Line Road.

Street trees are shown throughout the development, and landscaping, with decorative fencing, is indicated along the County Line Road frontage. In addition, an entranceway sign is indicated on both sides of the Bobcat Drive entranceway off County Line Road.

- Site condominium subdivisions shall meet the standards of the City of New Baltimore Land and Subdivision Ordinance.

The City Engineer will need to verify compliance prior to final approval of the development.

- The site condominium subdivision plan shall include all necessary public utility easements granted to the City of New Baltimore to enable the installation, repair, and maintenance of all essential public utilities to be installed. Appropriate dedications for sanitary sewers, lines, and storm drainage improvements shall be provided.

The City Engineer will need to verify compliance prior to the development receiving final approval.

- The city shall also require all appropriate inspections. After the construction of the site condominium subdivision, an as-built reproducible mylar of the completed site improvements (excluding dwelling units) is to be submitted to the city for review by the city engineer. A final certificate of occupancy and any construction bonds or letter of credit will not be released to the developer/owner until said as-built mylar has been reviewed and accepted by the city.

These requirements must be met prior to any certificate of occupancy being given.

Recommendation

Based upon the above review, I recommend preliminary approval of the proposed development, subject to compliance with all applicable building, engineering, fire, public works regulations.

Cassin noted the plans meet all the requirements of the R-70 district, meets standards for lot size, setbacks, paving, sidewalk, landscaping, trees, meets all the current conditions of the zoning ordinance, meets all SALU standards and the development will need to meet all State, County and city requirements.

Goldenbogen asked if the plans were reviewed for the conservation easement.

Cassin noted engineering and DEQ will review for the easement.

Haydamack stated the Planning Commission deals with the eight standards and there are agencies outside of the planning commission that review. If there are problems outside of their reviews other agencies will review further.

Dailey stated the project is clearly outside of the conservation easement.

**MOTION by Goldenbogen supported by Huff to close the public hearing at 7:57 p.m.
MOTION carried.**

Mr. Thompson advised the board a wetland specialist has been hired.

Haydamack stated he would like to make a motion to suspend the rules and send to city council.

Koneczny asked under what circumstances should we suspend the rules?

Haydamack stated nothing has changed in the eight (8) standards.

Meyer stated we have established that they are not developing in the permanent conservation easement.

**MOTION by Meyer support by Haydamack to review standards.
MOTION carried.**

Cassin read the standards for vote by the Planning Commission:

1. The proposed Special Land Use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.

VOTE:

YES: Dailey, Gaedcke, Goldenbogen, Haydamack, Huff, Koneczny, Meyer, Wojciechowski

NO: None

2. The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements, routes of traffic flow and parking lot circulation, proximity and relationship to intersections, adequacy of sight distances, location and access to off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian vehicle conflicts.

VOTE:

YES: Gaedcke, Goldenbogen, Haydamack, Huff, Koneczny, Meyer, Wojciechowski, Dailey

NO: None

3. The proposed use will be designed so that the location, size, intensity, site layout and periods of operation of the proposed use eliminate any possible nuisance emanating therefrom which might be objectionable to the occupants of any other nearby uses.

VOTE:

YES: Goldenbogen, Haydamack, Huff, Koneczny, Meyer, Wojciechowski, Dailey, Gaedke

NO: None

4. The proposed use will be designed so that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

VOTE:

YES: Haydamack, Huff, Koneczny, Meyer, Wojciechowski, Dailey, Gaedke, Goldenbogen

NO: None

5. The proposed use will relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.

VOTE:

YES: Huff, Koneczny, Meyer, Wojciechowski, Dailey, Gaedcke, Goldenbogen, Haydamack

NO: None

6. The proposed use has been designed to relate harmoniously with existing environmental, aesthetic, cityscape and surrounding neighborhood amenities.

VOTE:

YES: Koneczny, Meyer, Wojciechowski, Dailey, Gaedcke, Goldenbogen, Haydamack, Huff

NO: None

7. The proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.

VOTE:

YES: Meyer, Wojciechowski, Dailey, Gaedcke, Goldenbogen, Haydamack, Huff, Koneczny,

NO: None

8. The proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

VOTE:

YES: Wojciechowski, Dailey, Gaedcke, Goldenbogen, Haydamack, Huff, Koneczny, Meyer

NO: None

MOTION by Haydamack support by Goldenbogen to suspend the rules and send SALU #328-10-22, Willow Creek Estates Site Condos, County Line to City Council for preliminary approval.

FOR THIS MOTION: YES -Haydamack, Meyer, Huff, Koneczny, Meyer, Wojciechowski, Dailey, Gaedcke, Goldenbogen.

NO: None

MOTION Carried.

MISCELLANEOUS COMMUNICATIONS:

Commissioner Haydamack stated the Roads, Bridges/Utilities Committee asked engineer if it is possible to add parking at the sides of the streets/roads in the downtown area? There is no curb and gutter and the current ordinance does not allow parking bollards. If we want to additional parking, we need to look at the ordinance.

Commissioner Huff stated the DDA has purchased some new garbage cans, the new cans cost \$460.00 each. The DDA is reaching out to groups to help pay for more new cans. The DDA is also working with Virtual World to showcase local businesses, ten have signed up. The Country Fest is all set for July 15th and 16th.

Dittrich noted the DDA and Virtual World will be creating 3D videos inside the businesses.

Dittrich thanked Mayor Semaan for having the parking study completed.

Mayor Semaan noted a bollard separates the sidewalks from parking. A mapping of downtown will be helpful to determine relocation of utilities, the grade and the amount of greenspace. We are looking at about 75 parking spaces and can probably this accomplish in 1- 3 years. Input from the board will be important.

Huff asked if we have looked at EV charging stations.

Meyer stated we are updating the Capital Improvement Plan (CIP) to determine what we have.

Mayor Semaan said a meeting is scheduled with Plante-Moran on February 1, 2023 to discuss the CIP.

ADJOURNMENT:

MOTION by Meyer supported by Hadamack to adjourn at 8:35 P.M. No additional discussion by the commission. MOTION carried.

Lisa Hall, Recording Secretary