

b. Schedule Public Hearing for September 6, 2023

Motion by Kinczkowski, supported by Hartman

To set a public hearing for consideration of the amended sign ordinance for Wednesday, September 6, 2023

VOTE: Ayes: 5 Nays: 0 Absent: 2 MOTION CARRIED

2. Final Site Plan Review - SPR-002-2023

Applicant: Shane & Angela Black

Location: 425 S. Dexter

Proposed McFarland's Tree Service, Landscape & Nursery

Planner Fortin discussed her letter of review and the approvals that have taken place to date. The applicant is now before us for final approval. They have addressed most of the concern. She reviewed the outstanding items taking note that Village Council approved the waiver to delay the installation of sidewalk along Dexter Road. We are asking that they show the sidewalk on the site plan so that we have something on record.

Durkin noted that the building at the southeast corner of the property is within the setback but is an existing building. However, it also encroaches the property to the south, and the applicant will need to provide an agreement with that property acknowledging the encroachment. She also noted that the existing porch is within the 25-foot front yard setback, and they will be putting the ADA required ramp on the front which will also encroach.

Motion by Kinczkowski, supported by Hartman

Finding that the applicant has met the requirements of Section 152.391 thru 152.393, The Planning Commission approves the Final Site Plan #SPR-002-2023 for Shane and Angela Black aka McFarland's Tree Service at 425 S. Dexter (Parcel #4714-23-400-015) for a Tree Service Business, Landscape Nursery, Farmer's Market and Equipment and Vehicle Storage contingent upon the following:

- ❖ Revise driveway material to reflect the aggregate base layer to be "MDOT 21AA Limestone"
- ❖ Verify an adequate buffer has been provided from the point source discharge to the northern property line and that a permit through EGLE is not required. Verify flow as required by the Village Engineer
- ❖ Clarification on the total number of parking spaces
- ❖ Meet the requirements for the impervious drainage and increased runoff resulting from the roof area and update calculations to reflect the changes in flow as required by the Village Engineer
- ❖ Provide required Performance Guarantees including amounts, types and terms as required by Village Zoning Ordinance
- ❖ Provide maintenance agreement for the entire stormwater system
- ❖ Update sidewalk waiver on the plans and notate the future sidewalk on final drawings.
- ❖ Update existing contours on the plans
- ❖ All work within the Village requiring soil erosion and sedimentation control shall comply with Livingston County requirements
- ❖ While the Commission acknowledges the encroachment of the porch and concrete ramp into the 25' front setback and the building at the southeast corner of the property into the 20' side yard

setback based on the existing structures and conditions, the applicant is required to provide an agreement with adjacent property owner to the south for the encroachment of the existing garage onto their property.

- ❖ All exterior material finishes and colors including light fixtures shall be reviewed and approved by the Zoning Administrator and Village Planner

VOTE: Ayes: 5 Nays: 0 Absent: 2 MOTION CARRIED

NEW BUSINESS:

1. Final Site Plan Review – Lakeland Knoll
Applicant: Progressive Properties – Marshall Blau
Location: Vacant Land west of water tower
Proposed 123-unit single family – Residential Open Space Development
 - a. Set Public Hearing for September 6, 2023

Mr. Marshall Blau, applicant, along with Susan Viers from his office were present. Mr. Blau stated that they learned last week that their site plan requires another public hearing, and he is asking the Commission to set that hearing for the next meeting. He gave a summary of what has taken place since the preliminary approval in 2020 for 123 home sites and 42% open space. He discussed the changes in the design standards since their approval in 2020 and the extensions of the preliminary plan that were granted. He discussed the reason for the need for extensions to comply with the Fire Department’s requirement of a secondary access as well as sewer and water capacity issues. He discussed the new technical standards requiring 31 foot road widths as opposed to the original 27 foot, asphalt requirements, location of sewer, water and storm. He stated that although, it is not required, the Engineer is asking that the street trees be outside of the right-of-way. He provided pictures of the Village Edge subdivision. He discussed his concern about the wider road width. He indicated that the alternative that they would prefer not to take would be to go to private roads versus public roads.

The question was asked why the applicant is opposed to having the trees in the front yard versus the right-of-way. Mr. Blau stated that it is no longer a street tree but also discussed the utility easements. Durkin noted that the water and sanitary sewer are also to be located on opposite sides of the streets. She further indicated that it is not up to this Board to determine the road width. This is a technical standard and any waiver would be considered by Council. Mr. Blau stated that he was simply asking for a recommendation by this Board. It was stated that this would not be proper procedure.

Discussion was held on the water capacity. It was stated that with our current capacity, Phase 1 could be developed. We would require an agreement between the Village and the developer regarding the second phase with the addition of a Village well.

Motion by Hartman, supported by Kinczkowski

To set a public hearing for consideration of the final site plan for Lakeland Knoll Residential Open Space Development for Wednesday, September 6, 2023

VOTE: Ayes: 5 Nays: 0 Absent: 2 MOTION CARRIED

PUBLIC FORUM: