

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING  
THURSDAY, SEPTEMBER 10, 2009

A regular meeting of the Charter Township of Oxford Planning Commission was held Thursday, September 10, 2009, at the Oxford Veterans Memorial Civic Center.

Members Present: Bell, Berger, Black, Curtis, Lepping, Roesner, Spisz

Members Absent: None

Also Present: Planner Oppmann, Secretary Harrison, a cameraman, and 2 audience members.

The meeting was called to order by Chairman Bell at 7:30 pm.

RESPECTS TO THE FLAG

NOTING OF ROLL

APPROVAL OF AGENDA

Black moved, Curtis seconded, to approve the September 10, 2009 agenda, with the following amendment:

- Add item 10.E. Discussion on proposed Amendments .004 and .005 to Ordinance 67A (returned by the Township Board for further discussion/clarification)
  1. WECS
  2. Temporary Signs
  3. Article 19 - New Planning Commission Section

Ayes: 7          Nays: 0          Absent: 0          Motion Carried

APPROVAL OF THE MINUTES

**Planning Commission Regular Meeting – July 23, 2009.**

Commissioner Black noted errors in Section 7 of the amended Planning Commission by-laws that were approved and adopted at the July 23<sup>rd</sup> meeting. Commissioners agreed to add this for discussion as item 10.F. It was also agreed the July 23<sup>rd</sup> minutes could be approved as presented being the minutes correctly account for what transpired during the meeting.

Roesner moved, Spisz seconded, to add item 10.F. Discussion on Amended By-Laws.

Ayes: 7          Nays: 0          Absent: 0          Motion Carried

Black moved, Curtis seconded, to approve the Planning Commission Regular Meeting Minutes of July 23, 2009, as presented.

Ayes: 7          Nays: 0          Absent: 0          Motion Carried

PUBLIC COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING OR ON AGENDA – None

COMMISSIONERS' COMMENTS, COMMENTS FROM ZONING ADMINISTRATOR, COMMENTS & INFORMATION FROM RECORDING SECRETARY

**Commissioners' Comments:** Commissioner Spisz asked if Goddard School received a Certificate of Occupancy and if the private drive issues were resolved? It was noted a temporary Certificate of Occupancy was issued, the drive and cul de sac were put in but the site work has not been

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completed. Discussion was had regarding what specifications and/or contingencies were placed on the private road and if they had been met. Chairman Bell noted an e-mail from Engineer Mayer stating construction is complete, easements have been reviewed, and record drawings approved. It was noted the easements need to be recorded and a road maintenance agreement needs to be in place before a final Certificate of Occupancy can be issued. Planner Oppmann was asked to follow-up with Engineer Mayer on the project and on any contingencies or specification placed on the private road and to e-mail any concerns to Commission members.

Discussion was also had on who is responsible for making sure developments are completed per final site plan approval. Commissioner Spisz will add this as an item to the October Township Board meeting agenda for discussion. It was also recommended it be added to the next Planning Commission agenda for discussion with suggestions from Committee Member Berger and Planner Oppmann.

Commissioner Lepping noted he and Planning and Zoning Coordinator Walkaus attended the Heritage Conference in Pontiac that was put on by the Oakland County Planning and Development Department. Their attendance gave them the credentials necessary to maintain their Master Citizen Planner accreditation. He noted neither are asking for reimbursement from the Township for this conference.

Commissioner Black was dismayed that he was told there is no money available in the Planning Commission budget for Commissioners to attend conferences or seminars even though the Planning Commission does receive a budget from the Township. *It was noted that any conferences or seminars Planning Commissioners want to attend have to be approved by the Township Supervisor for it to be reimbursable or paid for out of the Planning Commission budget; the Planning Commission does not have the authority to spend money.*

**Recording Secretary Comments:** None

PUBLIC HEARING(S) - None

OLD BUSINESS - None

NEW BUSINESS –

**DISCUSSION – Ordinance 103 & 104A Amendments.** Planner Oppmann commented these proposed amendments are not to the Zoning Ordinance but to other Township ordinances. Per the attorney’s opinion letter, the Planning Commission has the ability to make a recommendation to the Board regarding these amendments.

Regarding Article I. Amendment of subsection 46-35(A), Commissioner Black questioned why the escrow amount was increased from \$300 to \$1,000 for an acreage division request. Commissioners discussed it was probably done to make sure consultant fees are covered. It was suggested the word “may” should be changed to “shall” in the sentence pertaining to the escrow amount. Commissioner Spisz will take that suggestion to the Township Board.

There were no other comments regarding the proposed amendments.

**PROPOSED 2010 PLANNING COMMISSION MEETING SCHEDULE.**

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Black moved, Curtis seconded, to adopt the 2010 Planning Commission Meeting Schedule, as presented.

Ayes: 7            Nays: 0            Absent: 0            Motion Carried

**PROPOSED 2010 ORDINANCE REVIEW SUB COMMITTEE MEETING SCHEDULE.**

Black moved, Lepping seconded, to adopt the 2010 Ordinance Review Sub Committee Meeting Schedule, as presented.

Ayes: 7            Nays: 0            Absent: 0            Motion Carried

**DISCUSSION – Master Plan 2010.** Chairman Bell noted that after discussion with Planner Oppmann, believes the Master Plan is in pretty good shape, but because state statute requires it must be looked at every 5 years, has requested a \$5,000 budget amount for this purpose from the Township.

Planner Oppmann commented that since the budget will be limited and most of the work was done the last time the plan was updated, asked the Commissioners to look over the plan and to come back at a future meeting for a discussion on possible changes or corrections. He suggested they also look at the Future Land Use map; and noted a Zoning Plan has to be added to the Master Plan to comply with the new Planning Act.

Commissioner Roesner commented a Zoning Classification/Density Plan is also needed which has been requested in the past. Planner Oppmann will check with Planner Wortman regarding the request for this.

It was Commissioner Berger's opinion it will be important to look at the Master Plan from an economic point of view; where there have been changes and where the economy is going. A lot of communities are re-evaluating their Master Plans and establishing specific use areas for mixed use, etc. so as to have flexibility to allow certain corridors to make adjustments for development opportunities, especially when the communities are is losing tax base and SED and personal property tax values. He suggested looking at major thoroughfares rather than outlying areas as a part of this component and how to generate zoning categories to help the community continue growth, at the same time, provide a benefit to the residents.

**DISCUSSION - Proposed Amendments .004 and .005 to Ordinance 67A (returned by the Township Board for further discussion/clarification).**

**WECS (Wind Energy Conversion Systems)** – At the September 9<sup>th</sup> Township Board meeting, Trustees had a question regarding the setback requirement, they believe the setback should be more.

Commissioner Berger commented the State of Michigan changed the recommended guideline to 1x the amount of the device (the sub committee originally had it at 1.5x). The idea being that, for example a WECS, the highest point is the vertical component of the blade, if it falls over and the base is still there, it would still be further away from the property line by a percentage. It was noted the ordinance was drafted from a model ordinance from the state.

Commissioner Curtis clarified, then, the response back to the Board should be: “the amendment to the zoning ordinance is in compliance with the state recommended guideline”.

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Buck Cryderman, Township Board Trustee, noted he was one of the Trustees that questioned the setback and after hearing this discussion, believes the sub committee did a lot of research and is ok with the amendment as it is written.

**Temporary Signs** – The question from the Board was does the total square footage include both sides of a two-faced sign; need a clarification by definition.

Commissioner Berger commented it was the intent of the sub committee that a temporary sign could be two-faced or back to back, no larger than 16 sq. ft.. The majority of the Commissioners agreed, for commercial temporary signs, the maximum square footage to be 16 sq. ft. “per side”. Planner Oppmann will make that clarification to the amendment.

**Temporary Signs – Help Wanted** – Board members questioned the duration of time a Help Wanted sign is allowed to be up. It was believed the amendment should be more liberal.

Commissioner Berger explained the sub committee put a time limit on Help Wanted signs to deter businesses from leaving them up indefinitely, when positions aren’t available, as a source of advertisement. If there seems to be a problem, they wanted there to be a way to enforce the issue. It was noted the Enforcement Officer can use discretion regarding enforcement. It was argued, “then why have an ordinance”? On the other hand, if there is no time limit, someone could leave it up as long as they want, it can be addressed by the Township, but they could not be forced to take it down.

The majority of Commissioners believe the amendment is appropriate.

**Article 19 - New Planning Commission Section** – In sub-section 19.4(f) a typo was noted. It was requested to remove the second reference of “all applications”.

**DISCUSSION - Amended By-Laws.** Commissioner Black noted at the beginning of the meeting that the Planning Commission by-laws amendments that were approved at the July 23<sup>rd</sup> meeting were incorrect. On the last page, the date noted, the 15<sup>th</sup> day of August, 1991, as being when the by-laws were adopted is incorrect, it should be the meeting date the last amendment(s) were adopted and the names of the Chairperson and Vice Chairperson should be **Todd Bell** and **Tom Berger** (the current Chairperson and Vice Chairperson).

Committee members discussed the appropriate way to make these changes. It was decided it can be done through a motion at tonight’s meeting.

Moved by Roesner, seconded by Curtis, to correct the date and name errors on the previously adopted by-laws (on July 23, 2009); specifically the proper date would then be today’s date (the 10<sup>th</sup> day of September, 2009) and the names would be of those who approved the most current by-law amendments (Chairperson Todd Bell and Vice Chairperson Tom Berger).

Roesner amended the motion, Curtis re-supported, to remove any references to section 7.2 and that the list of Amendments should read as follows:

- AMENDMENTS:**  
August 15, 1991  
July 11, 2002  
September 28, 2006

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June 14, 2007  
July 23, 2009  
September 10, 2009

Roll Call:

Ayes: Berger, Curtis, Lepping, Roesner, Spisz, Bell  
Nays: Black  
Absent: None

COMMUNICATIONS AND/OR COMMITTEE REPORTS

**Violation Report** – The last report sent out was dated July 31, 2009. There were no questions.

**Sub Committee Reports**

Acreage/Lot Split Sub Committee – Planner Oppmann and Committee Member Berger believe there is one coming.

Gravel Inspection Sub Committee – Committee members will begin inspections in October.

Ordinance Review Sub Committee – Nothing more to report.

**Reports from Representatives to Other Township Boards/Committees**

Safety Path Committee – Representative Curtis reported all safety path repairs have been completed. The total cost was between \$50,000 and \$54,000. The Township Board approved to complete the sections of safety path from M-24 to Pontiac Street, from Pontiac Street to Chirco, and from Chirco to Christ the King Church. All work and construction should start between October 1<sup>st</sup> and 15<sup>th</sup>, the contractor will get in as much as possible before winter. One requirement of the CDBG grant is the funded section has to be completed by July 10, 2010 however the contractor believes all the work should be done in April of 2010. Representative Curtis noted the original quote for the path from Chirco to Christ the King Church was approximately \$321,000 which included a bridge over Paint Creek, the cost now is approximately \$205,000 for Christ the King all the way to Pontiac Street with the elimination of the bridge by extending the existing culvert over Paint Creek.

Water and Sewer Committee – Representative Spisz reported they are in the process of receiving a quote to complete the plans to redo the Michelson Shores pumping station/well house. They are also investigating upgrades to the Oxford Oaks pumping station. The priority listing has been completed and accepted by the committee at the last meeting. Also, the Township Board approved going to a twice a year billing cycle for sewer rather than four times a year.

ZBA – Representative Roesner reported the Chase Bank driveway variance was approved and believes they will be coming before the Board for a sign variance.

**PLANNER/ENGINEER REPORTS**

**Planner – Carlisle/Wortman** – Planner Oppmann reported he received an inquiry from an engineer regarding the former bank property on the corner of Minatonka and M-24, on the current zoning map it is zoned residential however he found an old zoning map from the previous zoning ordinance which showed that property zoned as C-1. He believes it is a clerical error on the current map and if the Commissioners and the property owner agree, it can be changed administratively. After a discussion regarding the property and surrounding property, Commissioners agreed it is a clerical error and Planner Oppmann can inform the interested parties of such. A formal motion will be made at the next meeting authorizing the change so as to have the parcel number included.

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**Engineer – Giffels-Webster** – Engineer Mayer e-mailed an update. Goddard School has been discussed and Chase Bank is underway. Elkview Estates is 50% complete; a site visit will be conducted for RLM; and a proposal for cemetery mausoleum work has been submitted to Clerk Wright.

ADJOURNMENT

Curtis moved, Lepping seconded, to adjourn the meeting at 9:08 p.m..

Ayes: 7          Nays: 0          Absent: 0          Motion Carried

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Todd Bell, Chairman

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Tom Lepping, Secretary

Date approved: 10/22/2009

lmh