

Village of Bellaire
PLANNING AND ZONING COMMISSION

William Drollinger, Chairman

Commissioners: Clarence Bennett, Butch Dewey, Ken Fedraw, Robert Shumaker

MEETING MINUTES

August 12, 2010

1. **Call to Order:** Vice-Chairman Dewey called the meeting to order at 5:00 p.m.
2. **Roll Call Attendance**
 - Present:** Vice-Chairman Butch Dewey, Clarence Bennett, and Robert Shumaker. Ken Fedraw arrived at 5:01 p.m.
 - Absent:** Chairman Drollinger
 - Staff Present:** Janet Koch, Zoning Administrator
 - Also Present:** Colette Stanish, Raymond Mills of the Area Seniors, Inc, and three other representatives of the Area Seniors, Inc.
3. **Approval of Agenda:** The agenda was approved as written.
 - Motion by Shumaker, seconded by Bennett, to approve the agenda as written.**
 - Motion carried by voice vote.**
4. **Approval of the August 3, 2010 Regular Meeting Minutes:** The minutes were approved as written.
 - Motion by Shumaker, seconded by Fedraw, to approve the minutes as written.**
 - Motion carried by voice vote.**
5. **Public Comment on Agenda Items:** None presented.
6. **Old Business**
 - a) **Area Seniors, Inc. site plan:** Vice-Chair Dewey presented the following findings of fact as prepared by Zoning Administrator Koch:

EXHIBITS

Current Village of Bellaire Zoning Ordinance, Completed Land Use Zoning Permit application

GENERAL FINDINGS OF FACT

1. The Village of Bellaire Planning and Zoning Commission finds that the proposed site location is currently zoned Village Commons.
2. The Commission finds that the Applicant is the current owner of record.
3. The Commission finds the Applicant is proposing to build a 42' x 72' accessory building for activities and storage on property with tax ID 05-41-030-012-20.
4. The Commission finds that the Applicant's proposed use is an allowed use.
5. The Commission finds according to the Zoning Ordinance that the Land Use Zoning permit will be approved if all standards are met. Conditions may be imposed on the approval. The Commission may waive a standard when it finds that the standard is not applicable to the development under consideration.

SPECIFIC FINDINGS FOR COMMERCIAL SITE PLAN APPROVAL
(Section 10.3)

- A. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

EVIDENCE PRESENTED:

Site plan presented by Applicant on 7-28-2010.

Notes from phone conversation between resident Marjorie Fleet and Zoning Administrator Janet Koch dated 6-18-2010.

Letter from Michael D. Neubecker of the Antrim County Commission on Aging dated 7-12-2010.

FINDING: The Commission finds that the proposed design provides vehicular & pedestrian circulation that will promote safe & efficient traffic operations.

Motion by Shumaker, seconded by Bennett, to approve the finding for Section 10.3 (A) as written. Motion carried by voice vote.

- B. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within the village.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design provides adequate vehicular and pedestrian connections.

Motion by Fedraw, seconded by Shumaker, to approve the finding for Section 10.3 (B) as written. Motion carried by voice vote.

- C. Removal or alteration of significant natural features shall be restricted to those areas that are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning & Zoning Commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design does not remove or alter significant natural features. The Commission will not require any additional landscaping buffers and/or greenbelts.

Motion by Bennett, seconded by Shumaker, to approve the finding for Section 10.3 (C) as written. Motion carried by voice vote.

- D. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design protects and preserves areas of natural drainage and maintains the natural characteristics of the land as far as is practical.

Motion by Shumaker, seconded by Bennett, to approve the finding for Section 10.3 (D) as written. Motion carried by voice vote.

- E. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes. Any buffer required shall be completely solid to the ground level.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design provides reasonable visual and sound privacy for adjacent dwelling units.

Motion by Fedraw, seconded by Bennett, to approve the finding for Section 10.3 (E) as written. Motion carried by voice vote.

- F. All buildings and groups of buildings and outside display of property shall be arranged so as to permit necessary emergency vehicle access.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design provides access for emergency vehicles.

Motion by Shumaker, seconded by Bennett, to approve the finding for Section 10.3 (F) as written. Motion carried by voice vote.

- G. All streets shall be developed in accordance with the Village of Bellaire Standards, Specifications and Regulations for Subdivision Streets and Proposed Public Roads, as appropriate. In addition, sidewalks may be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that Section 10-3 (G) does not apply as the proposed design does not include the construction of any streets.

Fedraw asked if the new sidewalks on the site plan would be part of this. Koch said the intent of the standard seems to be sidewalks along new roads.

Motion by Fedraw, seconded by Bennett, to approve the finding for Section 10.3 (G) as written. Motion carried by voice vote.

- H. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water and to prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design makes adequate consideration for the removal of surface waters from the site's hard surfaces.

Motion by Bennett, seconded by Shumaker, to approve the finding for Section 10.3 (H) as written.

A discussion ensued regarding the capability of the 6" storm sewer to carry the storm water from all the new hard surfaces proposed in the project in the event of a large rainstorm.

Motion rescinded by Bennett and Shumaker. Motion by Bennett, seconded by Fedraw to approve the finding for Section 10.3 (H) as written with the addition of changing the 6" storm sewer to an 8" storm sewer from the last catch basin before the outlet to the outlet at the drainage ditch. Motion carried by voice vote.

- I. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of building or structures shall be minimized to reduce light pollution.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design minimizes light pollution.

Motion by Shumaker, seconded by Bennett, to approve the finding for Section 10.3 (I) as written.

- J. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts of public streets shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height and solid to the ground. The finished side of any wall, fence, or other screen shall face adjacent properties.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that Section 10-3 (J) does not apply as the site plan states that no new trash receptacles will be added to the project.

Motion by Fedraw, seconded by Shumaker, to approve the finding for Section 10.3 (J) as written.

- K. Entrances & exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to & exits from the site shall be determined with reference to the number of dwelling units or other land uses within the site, the nature & location of the surrounding streets, the effect of traffic in the area, nearby topography & other factors.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design provides adequate entrances & exits for the convenience & safety of persons entering or leaving the site.

Motion by Bennett, seconded by Fedraw, to approve the finding for Section 10.3 (K) as written.

- L. Site plans shall conform to all applicable requirements of county, state, and federal statutes and ordinances. Approval may be conditioned on the applicant receiving all other necessary permits before final site plan approval is granted.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that, to the best of their knowledge, the proposed design conforms to applicable county, state and federal statutes and ordinances.

Motion by Bennett, seconded by Shumaker, to approve the finding for Section 10.3 (L) as written.

- M. Appropriate fencing may be required around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.

EVIDENCE PRESENTED: Site plan presented by Applicant on 7-28-2010.

FINDING: The Commission finds that the proposed design will not require additional fencing to reduce the impact of trespassing.

Motion by Shumaker, seconded by Bennett, to approve the finding for Section 10.3 (M) as written.

Shumaker asked why the proposed building is placed so far from the parking lot. Mills said that was because the roads inside the project have not yet been vacated.

Dewey asked how long it would take until the paving is complete. Mills said it would be a phased project and the paving would be done at the end. Mills indicated that they might rearrange the paved parking area to be closer to the building.

Motion by Dewey, seconded by Bennett, to approve the Area Seniors, Inc. site plan on the condition that the 6” storm sewer that runs from the final catch basin to the outlet at the drainage ditch be changed to an 8” storm sewer. Motion carried by voice vote.

Vice-Chair Dewey commended the Area Seniors for all the work they’ve done on the project, and said that the project is good for Bellaire.

7. **New Business:** None presented.
8. **Discussion:** None presented.
9. **Communications/Informational:** None presented.
10. **Member/Public Comment:** None presented.
11. **Adjournment: Meeting adjourned at 5:43 p.m.**

Compiled by: _____
Janet Koch, Clerk

Approved: _____
Butch Dewey, Vice-Chairman

Date: _____