

Minutes of
**SPECIAL MEETING OF TOWNSHIP
BOARD**

May 30, 2018

SPRINGFIELD
CHARTER TOWNSHIP



Laura Moreau, Clerk

Call to Order: Supervisor Walls called the May 30, 2018 Special Meeting of the Springfield Township Board to order at 6:07 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd., Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin W. Walls	Township Supervisor
Laura Moreau	Township Clerk
Jamie Dubre	Township Treasurer
Marc Cooper	Township Trustee
Judy Hensler	Township Trustee
David Hopper	Township Trustee

Board Members Absent

Dennis Vallad	Township Trustee
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Others present:

New Business:

1. Final Site Plan Review – General RV

Craig MacDonell, Architect, introduced himself to the Board. He summarized the project and explained that they have worked diligently with the consultants and representatives of the Township to try to accommodate all concerns.

Supervisor Walls thanked the applicants for their efforts in refining the plan. The storm water management plan is in the top three plans that he has ever seen. The efforts to improve the water quality and take out any impurities and sediments before it gets to the detention basin is an excellent improvement. It reduces the amount of flow going to the adjacent property and it also controls the rate of flow to minimize if not eliminate any additional flow downstream. The frontage for the building is excellent and will be the first that shows the Dixie Highway Design Guidelines. He asked the applicant about the current status of the septic permit.

Mr. MacDonell stated that Oakland County would approve it but they have sent it to the State which is where it is currently. They are pending some type of response from the State.

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Supervisor Walls stated that the Planning Commission minutes define the hours of operation as 9:00 am to 8:00 pm Monday and Thursday; Tuesday, Wednesday and Friday will be 9:00 am to 6:00 pm; Saturday 9:00 am to 4:00 pm and closed Sundays; During daylight saving time, they will close at 5:30 pm and Supervisor Walls asked if there were any changes to those hours.

Mr. MacDonell replied that these hours are correct and noted there will be no conflict with the church.

Supervisor Walls asked if there were any external speakers or sound system.

Mr. MacDonell replied no.

Supervisor Walls stated that during the Concept Review, the narrative included a description of building forms and materials. He asked if those are the materials that are represented on the current elevations and building.

Mr. MacDonell replied yes; they are also outlined on the construction documents.

Supervisor Walls stated that a security system was added to the fences as mentioned in the Planning Commission meeting but there was no information about this in the packet and he asked why?

Mr. Bill Brown, General RV Center, stated that all of their facilities have an alarm system through Safety Systems consisting of motion detectors and video cameras. Ownership is currently working on the security system for the new location. This will be for the lot after hours and inside the building too. He stated that if any alarm goes off, he is contacted first to make sure that it is legitimate and not just an animal setting it off. He then contacts the police directly. There is no external alarm, it is silent because they are trying to catch the intruder.

Supervisor Walls asked about the dimming schedule for the parking lot lights.

Mr. MacDonell replied that they would cut the brightness by 50% after hours and it will be on a timer. If there was an isolated area that sensed motion, the light would go on. During non-business hours, the lighting would be dimmed to 50% level and if an area sensed a large object, it would kick that light up to 100%.

Supervisor Walls asked if the lighting diagram in the packet was given at the full 100%.

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Mr. MacDonell replied yes. At 100%, there is only one spot at .5 foot candle at the border which is at the front entrance on the east side.

Supervisor Walls pointed out the property line and the light levels that are 0.

Clerk Moreau thanked the applicant for the site plan improvements; this is going to be a great representation of the Dixie Highway Design Guidelines.

Supervisor Walls stated that there was extensive discussion by the Planning Commission regarding fencing. He asked if the fencing location was along the asphalt according to sheet AS 100. He stated that C-1, C-7 and Landscape 1 are incorrect as far as the fence location.

Mr. MacDonell replied that the intention is for the fence to be along the asphalt and there is a large landscape buffer before the property line.

Supervisor Walls asked about the engineering drawings and if it will be what is shown on Sheet 1 or AS 100 because they are different. On AS100, they have parking spaces over the current location of the western detention area.

Mr. MacDonell replied that the correct sheet is based on the engineering plan and the applicant will make revisions to take care of this discrepancy.

Supervisor Walls stated that at the Planning Commission meeting, the landscaping plan was discussed and the decision was made to have the landscape architect at Carlisle Wortman review the site after planting to make sure the opacity was 80%. He asked about the spacing for the arborvitae.

Mr. MacDonell replied that they are usually 3 foot on center when they are planted when they are in a linear edge type format. He confirmed that they are taking out a lot of the dead vegetation and adding more landscaping. They have no issues with having the landscape architect out to check the opacity at planting and if they have to, they will add the additional 33 trees.

Supervisor Walls stated that according to the scale, it appears that the plants are 8 foot on center. The concern is if they are in a single line. He is concerned with the original planting meeting the 80% opacity. He referred to an aerial photograph and pointed out where the single row of arborvitae is going to go. He pointed out the area where there are concerns about proper screening. One single row of arborvitae in this area will not provide the 80% opacity.

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Clerk Moreau commented that the ordinance requires that Arborvitae is planted a maximum of 10 feet on center. The concern is that they could meet the ordinance but not accomplish the screening requirement.

Mr. MacDonell stated that the landscape architect probably looked at the ordinance requirement and if they need to, they will add more.

Supervisor Walls stated that he visited the site and he can see the nearby residents' concern and he feels that some attention should be paid before the actual planting of landscaping. He believes the landscaping shown is light.

Mr. MacDonell commented that Mr. Lewan had spoken to Carlisle Wortman's in-house landscape architect and he felt the landscaping was adequate but he still wanted to make sure it was at 80% opacity.

Supervisor Walls commented that his concern is waiting because if they are going to deal with it, they should deal with it up front.

Mr. MacDonell and Mr. Burzynski expressed concerns about putting any landscaping in early because there is no irrigation there so the plants would die.

Supervisor Walls suggested that the Landscape Architect should be able to get this resolved before the applicant starts.

Mr. Kent Burzynski, Schonsheck Corporation, stated that they would be happy to place the plantings where they are depicted and then have the Landscape Architect come out to look at them. He believes that being on paper does not do it justice as much as going out and seeing them. If they have to add trees, they will add trees. He suggested that the Landscape Architect and/or the Township Supervisor could come out and do a site visit. He thought they had three years for the trees to mature to the 80%.

Supervisor Walls confirmed that the current ordinance says 80% at planting.

Mr. Burzynski suggested having a meeting on site when the plantings are temporarily set and before they are permanently planted.

Supervisor Walls asked when the plantings would be installed.

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Mr. Burzynski replied October 2018. The applicant is anxious to get started and the optimum time to plant is fall.

Supervisor Walls suggested that they get it resolved on the plan beforehand.

Supervisor Walls moved that the Final Plan for General RV as reviewed by the Township Board be approved with the condition that:

- 1. The Engineering Drawings showing the fence location be revised to be consistent with the architectural site plan which is along the border of the parking area rather than close to the property line**
- 2. The approval be for the site plan as represented on Sheet C-1 shown during this meeting rather than AS-100**

Approval is based upon the confirmations for the items and the answers given this evening.

Subject to:

- 1. The Health Department permit prior to any pre-construction meeting**
- 2. A review and additional screening being provided. The review by the applicant's landscape architect, the Township's Landscape Architect and Supervisor Walls for the area between the western retention basin and the southern basin. At planting, the 80% opacity will be verified.**
- 3. Including the waiver of the ordinance standard for the east screening accepting what is drawn and the waiver for requirement for landscaping within the parking lot as the surrounding landscaping services that purpose.**

Trustee Cooper supported the motion.

Pamela Merrit, 9030 East Bluewater Drive, stated that there is a lack of trees. She would like an 8 foot wall to be considered. She asked if the motion passed, would the request for a wall not be considered.

Supervisor Walls stated that he purposely did not include it in the motion.

Bob Gray, 9022 East Bluewater Drive, suggested that if they do not have a buffer around the area, they will have a lot of trucks coming in. He asked how many trucks they have coming into the area.

Supervisor Walls noted that the anticipated customers are 12-15 per day.

Mr. Gray stated that this would leave a lot of room in the back.

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Supervisor Walls stated that this is what the screening is meant to address.

Ms. Merritt stated that right now they can look at 15 acres of grass and not the back ends of trailers. She is disappointed that the Board says, “you are fine.”

Supervisor Walls stated that the Board does not say they are fine. It says that the applicant needs to add additional landscaping over what was proposed and the experts on both sides will verify that this is done.

Vote on the motion: Yes: Cooper, Dubre, Hensler, Hopper, Moreau, Walls; No: none; absent: Vallad. The motion carried by a 6 to 0 vote.

2. Final Site Plan Review – The Journey Church

Jeff VanCamp, architect, introduced himself to the Board. He provided a summary of the project. They have addressed items raised by the Planner and Engineer including the Type 4 screening and they provided a tree survey showing both retaining and removal. He provided an explanation of the landscape plan. They tried to keep as many of the natural features as possible. The Township Planner reviewed the plan and he felt that it satisfies the screening requirements.

Supervisor Walls stated that both the Engineer and the Planner have reviewed the revised plans and they both indicated that their concerns have been taken care of. He stated that when they presented for Concept Plan in November, it included detailed lighting management information and he asked if that information and system is still what is planned.

Mr. VanCamp replied yes, there is a reduction of 50% in their lighting plan or they can completely turn it off.

Supervisor Walls asked what the schedule was for the dimming.

Mr. VanCamp replied it would be off on non-use days except for around the building around the entrance at 50%.

Supervisor Walls asked if it was clock set or switch set.

Mr. VanCamp replied clock set.

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Supervisor Walls stated that that he indicated a light around the entry of the building and around the back door. He asked if this was correct.

Mr. VanCamp replied yes.

Supervisor Walls stated that the garage that was on Phase 2 is now on Phase 1. There is no information on the exterior materials of this garage.

Mr. VanCamp replied it will match the proposed church building with siding.

Supervisor Walls stated that he is concerned about the screening opacity and the meeting of the Type 4 screen on both the east and the south line. Carlisle Wortman's review says that it meets the opacity requirement and the next sentence says additional landscaping may be necessary along the southern and eastern property line as part of Phase 2 and Phase 3 to maintain the opacity. Screening is required because it is a Special Land Use and the Special Land Use is the church so the screening all needs to be addressed at this time. He talked to Doug Lewan and he agreed that there was an issue with the proposed opacity. In his prior review it made reference to existing evergreens on the east and southern line which are not there. Mr. Lewan turned it over the Chris Nordstrom and he did not get a chance to get back to him. Supervisor Wall's suggestion is to grant approval and leave it up to the Supervisor, Planner, Landscape Architect and Jeff VanCamp to figure out the screening on the east and the south line. His primary concern is the east line and the south east corner. One of the difficult things about requiring full screening at this time is that there is nice very dense forest area along the south property which isn't going to be removed until Phase 3 with the expansion of the parking lot which is estimated to be 10 years. He pointed out this area on the landscape plan.

Clerk Moreau asked Supervisor Walls to clarify how his conversation with Mr. Lewan changed the understanding regarding the screening and opacity.

Supervisor Walls commented that Mr. Lewan included the east line in his review. If you also look at Carlisle Wortman's March 28th review, relative to screening, they are indicating that there is approximately 16 evergreens trees that will be preserved along the eastern property line but in fact, there are only 3 and they are on the neighbor's property. Twenty-five new evergreens are proposed for the southern line.

Mr. VanCamp verified that there are not 16 evergreens along the east side.

Clerk Moreau asked if the purpose of the meeting would be to clarify the number and the types of trees as required by ordinance and the opacity.

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Supervisor Walls answered yes.

Trustee Hopper commented that it is a Type 4 screening that they are trying to meet so they would have to employ larger trees if there is not a berm.

Supervisor Walls commented that they have some 8 foot trees but it does not look like they are planted close enough together to be able to accomplish the opacity. They may need to stagger and add some additional trees to fulfill the requirement.

Clerk Moreau stated that the plan has 8 Norway Maple and these trees are listed as restricted use in the ordinance. She asked if those could be switched out for a different species. She suggested Autumn Blaze Maple. The Norway Maple could potentially be invasive if by natural areas.

Mr. VanCamp agreed.

Trustee Hopper stated that at the last Planning Commission meeting, he had too many questions that were not answered and he felt the presentation and approval was premature. He can see that most of the questions are answered and some of it required the relocation of the building and this is one of the reasons why he was hesitant to approve. Other than the landscape screening and confirming details included in the earlier plans, it appears that the comments have been addressed.

Supervisor Walls confirmed that they would need a waiver for the loading area. The other items that should be included is the submittal of all permits prior to a pre-construction meeting. He asked if the applicant was missing any permits.

Mr. VanCamp replied the well permit and the NPDES permit which is prompted because it is over 5 acres.

Clerk Moreau moved to approve the Final Site Plan for The Journey Church as presented and discussed by the Township Board with the understanding that there is a waiver approved for the loading area and contingent on a review of the screening on the east and the south borders to be conducted by Township Landscape Architect, applicant and the Township Supervisor and the Landscape Plan shall be revised as required based on this review to accomplish both the 80% opacity and to achieve the required number and types of plantings per screen number 4. Further, contingent on all required permits being acquired prior to issuance of building permits and subject to a different option for

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the Norway Maple being added to the Landscape Plan. Trustee Hensler supported the motion.

Mr. Jeff Frick, 11445 Rattalee Lake Road, stated that he is the neighbor to the east of the subject property. He and his wife have noticed much more noise since the trees have started to come down. They notice more road noise and he hopes that the required screening on both residential sides happen sooner rather than later.

Supervisor Walls asked Mr. VanCamp about the construction schedule.

Mr. VanCamp replied the construction should be started as soon as possible. The plantings are early spring to fall planting time.

Treasurer Dubre asked him to define as soon as possible.

Mr. VanCamp replied this year.

Supervisor Walls asked if the building construction plans were prepared.

Mr. VanCamp replied they are just about completed.

Vote on the motion: Yes: Cooper, Dubre, Hensler, Hopper, Moreau, Walls; No: none; absent: Vallad. The motion carried by a 6 to 0 vote.

3. Proposal for New Landscape Contractor – Township Entrance Sign Maintenance

Supervisor Walls provided a summary of his memo to the Board dated May 29, 2018. This memo reflected the poor condition of the landscaping and lack of response of the current landscape contractor. A replacement recommendation was included from the landscape contractor that is currently doing the fire stations. Supervisor Walls received a communication from Mr. Nordstrom of Carlisle Wortman relative to the replacement of materials and he summarized that communication. The removal of the stone edging is suggested since it is not set soundly. Mr. Nordstrom was not aware of the aluminum edging. Mr. Nordstrom would like to take another look at the suggestions and he is also aware of problems with the concolor fir and other pines. Supervisor Walls explained that his primary concern is the lack of communication and response from the current contractor, ASW. He would like authorization to formally terminate the contract with ASW. He has talked with Greg Need and there is a breach of agreement. Mr. Need suggested Small Claims Court with the maximum award being \$5,000. One of the

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difficulties beyond not doing the maintenance is verifying that the material that is not surviving properly is actually the contractor's fault.

Clerk Moreau commented that it doesn't matter if it was his fault or not; the plants are warrantied and did not survive.

Treasurer Dubre commented that the contractor was paid over \$20,000. Not doing anything is not an option in her opinion. They should do something besides just terminating the agreement and then paying another \$15,000-\$16,000. She is concerned about this.

Clerk Moreau replied that this is a teachable moment and they have learned a lot about landscape and native plantings. It is important because this is something they are trying to promote on the Dixie Corridor. It is important to know why the plants did not survive so moving forward, they know whether they can make the vision work in this area. They need to find out what evergreen species and which native species are going to work there. She is in favor of ending the contract with ASW because they have not performed and through the communications, there is a flippant attitude present. She agrees with Treasurer Dubre, if the plant died and they have a warranty, then the contract replaces it. She dislikes the idea that other contractors did not get the contract; ASW won the bid and they even recommended other plants. She is in favor of discussing small claims court and suggested that the contractor make up the cost of plants that are already dead. She is in favor of going with Upcott's but she needs more time to review what is proposed. She would like to see a more specific proposal and more explanation as to why certain things are removed or proposed. She suggested assigning it to a committee.

Trustee Cooper stated that they should end the contract but he is not sure what they are ending because they already paid the whole thing in advance. He hopes that they don't enter into another contractor paying all of it and then not having any leverage. They should come up with a plan.

Treasurer Dubre stated that if it is a teachable moment, then they need to make it that. She asked what portion of the original \$21,000 was for the maintenance agreement and what would that be valued at. She stated that terminating that and just letting that company walk away, she is not willing to do. She stated that she would be willing to file and go to small claims court if that is what Greg Need suggests. She does not have a problem with terminating the contract but she does have a problem just letting him off the hook.

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Supervisor Walls replied that he believes the original amount was a lump sum. The closest that they came was to outline 20 maintenance visits per year, but there wasn't a dollar amount.

Treasurer Dubre stated that they should ask Upcott's what the maintenance portion will be and what percentage of the budget that would equate to. The original contractor breached the maintenance portion of the contract.

Trustee Hopper agreed that they should terminate the contract. He agrees that they should take action somehow and Greg Need's recommendation was small claims court.

Board members confirmed that the maximum award is \$5,000 in Small Claims Court but Greg Need could draft the filing.

Trustee Hopper stated that he has some questions about the new contractor. He would like to find out why the original plants died so they are not doing this again in two years. The Upcott's estimate does not mention anything about warranty or maintenance. This should be negotiated and he thinks that they should have the plant price and the maintenance price which is paid out in payments.

Treasurer Dubre replied that the Township pays maintenance annually for many contracts.

Trustee Hopper answered that annually would work. He agrees that the removal of the stone edging and aluminum edging was questionable.

Supervisor Walls stated that Upcott's recommended a natural hand cut edge.

Board members discussed the proposed edging.

Trustee Hensler agreed with the Board members that they should take ASW to small claims court. She would leave it to the experts for edging and the new contract. The contract is self-terminated. They need to find out the cost of maintenance and watering.

Clerk Moreau stated that she is not ready to give up on the flagstone.

Supervisor Walls stated that he will get together with Greg Need to follow through on the Board's request.

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Clerk Moreau moved to terminate the contract with ASW for the landscape and maintenance at the Township entrance sign and further, authorize the Supervisor to work with the Township Attorney to move forward to file in Small Claims Court. Supported by Treasurer Dubre. Vote on the motion: Yes: Cooper, Dubre, Hensler, Hopper, Moreau, Walls; No: none; absent: Vallad. The motion carried by a 6 to 0 vote.

Supervisor Walls stated that he will see what he can get put together for the June Township Board meeting but he would suggest a committee or bringing it back in July.

Treasurer Dubre stated that even if it comes out in the Monday additions. The Board is looking for a breakdown of what they are approving from a maintenance agreement standpoint. She would think that Upcott's would be able to provide this information. The specifics to the removal and replacement should be assigned to a committee.

Clerk Moreau suggested that they are looking for a budget amount and some additional rationale about the stone edging, more detail about the proposal. She added that they should find out if the new contractor would be amenable to an annual maintenance agreement and warranty. If they have this for the June meeting then they can go ahead and assign a committee to finalize the plant materials and design changes.

Supervisor Walls replied that he will try to get the information together.

4. Proposal for Sediment Sampling and Testing – Mill Pond Impoundment

Supervisor Walls clarified that the percentages are 55% Oakland County and 45% Springfield Township so the Township's share will be a little under \$3,000.

Trustee Hopper moved to approve a budget not to exceed \$6500.00 for the DEQ to take ten samples of sediment within the Mill Point Dam Impoundment and conduct analysis only on the number of samples required based on survey work with the understanding that Oakland County Parks will reimburse Springfield Township for their portion of 55%, with Springfield Township paying 45%, in accordance with the Intergovernmental Agreement. Supported by Trustee Hensler. Vote on the motion: Yes: Cooper, Dubre, Hensler, Hopper, Moreau, Walls; No: none; absent: Vallad. The motion carried by a 6 to 0 vote.

Adjourned: 7:46 pm

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