

Minutes of  
**PLANNING COMMISSION  
REGULAR MEETING  
May 23, 2023**



**Call to Order:** Chairperson Baker called the May 23, 2023, Regular Meeting of the Springfield Township Planning Commission to order at 7:36 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd., Davisburg, MI 48350.

**Commissioners**

**in Attendance:** Dean Baker, Chair  
Jamie Costigan  
Ruth Ann Hines  
Dave Hopper  
Chris Moore  
Kevin Sclesky

**Absent:** George Mansour

**Consultants Present:**

Julia Upfal, Giffels Webster  
Stephanie Osborn, Giffels Webster

**Staff Present:**

Laura Moreau, Supervisor  
Joan Rusch, Planning Administrator

**Approval of Agenda:**

**Commissioner Hopper moved to proceed with the agenda as presented. Supported by Commissioner Sclesky. Vote: Yes: Baker, Costigan, Hines, Hopper, Moore, Sclesky. No: None. Absent: Mansour. Motion approved.**

**Public Comment:** None

**Approval of Consent Agenda:**

**Commissioner Hopper moved to approve the consent agenda as presented. Supported by Commissioner Hines. Vote: Yes: Baker, Costigan, Hines, Hopper, Moore, Sclesky. No: None. Absent: Mansour. Motion approved.**

- 1) Approve minutes of April 25, 2023, Special Workshop Meeting
- 2) Approve minutes of April 25, 2023, Regular Meeting
- 3) Accept Communication from Supervisor, Clarkston Complex Site Plan Extension Approval



**New Business:**

**1. Proposed amendments to Code of Ordinances**

**a. 40-931(h) – Nonconforming uses of land; nonconforming structures; nonconforming uses of structures and premises – Nonconforming lots of record**

Ms. Upfal explained that the waste transfer center applicant provided plans for a site that was less than the required five acre minimum in that industrial zoning district. This brought into question the section of code regarding nonconforming lots of record, which is not clear in the way it is written and causes confusion for interpretation. The purpose of the nonconforming lots of record section was to permit construction on lots that did not conform to width and lot size, and to allow construction on those lots as long as they comply with height, setbacks, and lot coverage. It is recommended to use the interpretation of this section to permit construction on nonconforming lots for all structures, regardless of zoning district, if they comply with all other requirements of the ordinance and not only specific to lots with dwelling units. Language has been proposed to make clear this interpretation. The language specifies that the provision does not apply for lots that do not meet a minimum lot size or width established as a condition of special land use approval.

The Commissioners discussed this proposed change, how this would affect special land uses, and how this interpretation meets the intent of the ordinance.

**Commissioner Hines moved to set for public hearing the proposed amendments to Chapter 40, Section 40-931(h) – Nonconforming lots of record, as discussed at this meeting, at the earliest opportunity. Supported by Commissioner Hopper. Vote: Yes: Baker, Costigan, Hines, Hopper, Moore, Sclesky. No: None. Absent: Mansour. Motion Approved.**

**b. 40-156 District Regulations - Application**

**40-63(c) – Zoning board of appeals – Powers and duties – Requests for interpretation; nondesignated land uses; record**

Ms. Upfal explained that there is a section of the ordinance that allows the ZBA to make an interpretation for a land use that is not designated in the ordinance. The outcome of the ruling by the ZBA for the waste transfer station resulted in many conditions being attached to this use. This resulted in the ZBA making a determination that would usually go through the Township Board. The ZBA is essentially making the law when they set conditions and establish them as part of the motion. There is some concern that this exceeds the ZBA's authority. The Township Board usually reviews and gives final approval to amendments to the zoning ordinance. The first item to address in the nondesignated land use section is to change the term "nondesignated" to "unlisted," since nondesignated is not an actual word. The proposed language would remove this power from the ZBA and give it to the Township Board. This would allow the unlisted land use determination process to follow almost the same process as any other ordinance amendment. This is a way to "fast track" a land use designation without going through a whole ordinance amendment process, while making sure that all the bodies that would typically review amendments can do so. This also provides time for the ordinance amendment process to occur later, which would give the



amendment the appropriate time warranted for consideration and review. This would be one way to expedite the process for an applicant and be more development friendly, while giving all the appropriate governing bodies a hand in the review. Ms. Upfal stated that there are several different ordinance sections that are affected by these changes. One recommendation is to eliminate section 40-63(c), which would remove from the ZBA the authority for making unlisted land use determinations. Another recommendation is to amend section 40-156 District Regulations, as outlined in the memo. Uses which are not specifically listed would be prohibited unless they go through the required process. Lastly, a section for “unlisted use determination” would be created under section 40-146 and contain provisions for a submittal, the application process, standards for approval, conditions of approval, standards for denial, and site plan review.

Chairperson Baker clarified that this amendment language proposes changes to 40-63, 40-156, and creating a new section under 40-146.

Ms. Upfal stated that this was correct.

Supervisor Moreau stated that Section 40-146 would be under Division VI, Special Land Uses. She suggested that this language would be more appropriate under site plan review which is Division V. She commented that the proper section for this ordinance could be determined administratively later, but the amendments can still be set for public hearing tonight.

The Commissioners discussed these amendments and agreed they were ready to set for public hearing.

**Commissioner Sclesky moved, that based upon the draft ordinance text received from the Township Planner and reflected in the minutes of this meeting, to set for public hearing the proposed amendments to Chapter 40, Sections 40-156, 40-146, and 40-63(c), at the earliest opportunity. Supported by Commissioner Hines. Vote: Yes: Baker, Costigan, Hines, Hopper, Moore, Sclesky. No: None. Absent: Mansour. Motion Approved.**

**Old Business:**

1. Master Plan – Continued Discussion on Housing

Ms. Upfal stated that last month the Commissioners had begun a discussion on housing strategies. Previously discussed was the strategy of visitability and a partial discussion on accessory dwelling units. The discussion on housing strategies is to continue this evening. Ms. Upfal reviewed the different types of ADUs and items the Commissioners should consider, including which districts to allow them, design requirements, and ownership requirements.

The Commissioners discussed the differences in the types of ADUs, intent, zoning considerations, and definitions.

Ms. Upfal stated that another housing strategy is lot minimums. All lots in the Township must accommodate septic systems and any land splits must abide by the Michigan Land Division Act. The

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**SPRINGFIELD**  
CHARTER TOWNSHIP



Sean R. Miller, Clerk

Commissioners should look at the zoning ordinance where smaller lot minimums are desired, keeping in mind the impact on the community.

Supervisor Moreau stated that, in general, the community wants large lots and lower density. For Springfield, the 2.5 acre minimum in the R-1A District is not excessively large. She suggested that perhaps shared road/driveway access agreements would be a possible solution to those who want to split larger parcels without creating a condo development. She asked the Commissioners to consider this solution as it would provide more flexibility within the Township.

Ms. Upfal explained that offering incentives could also be a housing strategy. Unfortunately, there aren't many funding opportunities for townships in this area, although there are some opportunities such as MSHDA programs that the Township could explore. Ms. Upfal commented on two opportunity sites within the Township. One is the Bordine's site on Dixie Highway of 133 acres which is designated as planned mixed use on the future land use map. The other site is the 60 acre Levy property on Ormond Road which is intended for mineral extraction with a future land use of low density residential.

**Public Comment:** None

**Adjournment:**

**Commissioner Hines moved to adjourn the meeting at 9:04 p.m. Supported by Commissioner Moore. Vote: Yes: Baker, Costigan, Hines, Hopper, Moore, Sclesky. No: None. Absent: Mansour. Motion approved.**

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**Joan Rusch, Recording Secretary**