



PLANNING COMMISSION

AGENDA

CITY OF NOVI

Regular Meeting

February 24th, 2021 7:00 PM

Remote Meeting

(248) 347-0475

In accordance with Open Meetings Act, MCL 15.261, ET SEQ., as amended, this meeting was held remotely.

CALL TO ORDER

The meeting was called to order at 7:33 PM.

ROLL CALL - Pursuant to the State of Michigan Open Meetings Act, all members shall identify their physical location by stating the county, city, and state from which he or she is attending the meeting remotely.

Present: Member Avdoulos- *City of Novi, Oakland County, MI*; Member Becker- *City of Novi, Oakland County, MI*; Member Lynch- *City of Novi, Oakland County, MI*; Chair Pehrson- *City of Novi, Oakland County, MI*; Member Verma- *City of Novi, Oakland County, MI*

Absent: Member Dismody (excused)

Staff: Barbara McBeth, City Planner; Christian Carroll, Planner; Madeleine Daniels, Planning Assistant; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Victor Boron, Staff Engineer, Beth Saarela, City Attorney; Victor Cardenas, Assistant City Manager; Craig Willey, Environmental Consultant; John Freeland, Environmental Consultant

PLEDGE OF ALLEGIANCE

Chair Pehrson led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Avdoulos and seconded by Member Verma.

VOICE VOTE TO APPROVE THE FEBRUARY 24, 2021 PLANNING COMMISSION AGENDA MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER VERMA.

Motion to approve the February 24, 2021 Planning Commission Agenda. *Motion carried 5-0.*

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

CORRESPONDENCE

There was no correspondence.

COMMITTEE REPORTS

There were no Committee Reports.

CITY PLANNER REPORT

Planner McBeth said we have a new member who joined us tonight. Mr. Ramesh Verma was appointed as a new Planning Commissioner at Monday's City Council Meeting. A lot of you may know him from his experience on the Library Board, the Zoning Board of Appeals, and the Construction Board of Appeals. He is filling the vacant seat left when Julie Maday moved on to City Council. I also had sent an email to let you know that Commissioner Brent Ferrell has turned in his resignation. He has moved out of the city and therefore needs to resign. We will be looking for another new member to join us soon.

I wanted to remind everyone that I sent an email out for some training opportunities that take place in March. They are very affordable and local, and they are geared toward Planning Commission Members. We have two members that already signed up, Member Becker and Member Verma. If anyone else would like to please send me an email tomorrow and let me know.

CONSENT AGENDA - REMOVALS AND APPROVALS

There was nothing on the Consent Agenda.

PUBLIC HEARINGS

1. 2021-2027 CAPITAL IMPROVEMENT PROGRAM

Assistant City Manager Victor Cardenas said this is my annual appearance before Planning Commission to present the CIP. It is a document that appears before the Planning Commission every year per the Planning Enabling Act. It is considered first by a CIP Committee that is made up of three Council Members and two Planning Commission Members. This year Commissioner Maday and Lynch served on this Committee and as always, provided some excellent feedback and insight to the plan presented before you.

There are eleven categories in total. Obviously, the three biggest ones are Roads, Water and Sewer, and Parks, Cultural Arts and Services. The rest of the program is broken down into other categories. Machinery and Equipment is any kind of rolling assets that we have such as fire trucks or plow trucks. Sidewalks and Pathways deal with all our public sidewalks throughout the community. Buildings and Properties are all our Fire Stations, Parks Properties, City Hall, and Police Stations. All totaled equals \$129,000,000 over six years. There are 131 projects in total and per City Council, the first three fiscal years must be balanced. That's in our balanced budgeting procedures that City Council has adopted. We also break it down by fund itself. So, if you see, for fiscal year 2026-2027 for major streets it totals \$40,000,000 and that's for Beck Road. That's something we're still working towards in terms of expanding Beck Road, working with our colleagues at Wixom and Northville Township, working with our Federal Representatives to see if we can get any kind of federal funding to expand Beck Road all the way down to M-14 from I-96. Wixom is currently working on expanding it going north of I-96.

Assistant City Manager Cardenas continued to say some other projects to go over are at Cranbrook, we did the north side last construction year so now were looking at doing this in 2021-2022 for a little over \$2,000,000 to resurface going all the way down to Nine Mile Road. Also, the city had acquired the Bosco Fields Property which should hopefully open for this summer. In addition to that, we will be proposing and doing a Bosco Fields ITC Trail connector along Eleven Mile Road just west of Beck Road. We have a fire truck that we replaced last year and we're replacing another one this year. This is part of our CIP millage that we promise to be making these huge purchases by the voters and

these are coming in at about \$1,000,000 apiece. One other thing I did want to mention in the CIP is Bond Street and we're able to make acquisition of that property of that right away so that is in the out year of 2026-2027 so we will be most likely pulling that forward and getting it done this construction season.

Chair Pehrson said this is a public hearing if anyone in the audience wishes to speak you may do so now and seeing no one wished to speak Chair Pehrson asked for the written correspondence in which there was none. Chair Pehrson turned it over to the Planning Commission for their consideration.

Member Avdoulos said I looked at the information that was provided and although I have a personal passion for Nine Mile Road to be paved one of these days, especially now, looking at all the projects I know that the City prioritizes things and plans them out over the years and tried to do the best they can, so I appreciate the work that's been done and presented. I don't have any more comments and I will let the other Commissioners speak.

Member Becker said I was in on the Capital Improvement Plan Meeting, and I have to tell you it was really incredibly easy to understand how its laid out and it was most important for me as one of the newbies to get my arms around this thing. I think it's a great plan and thanks again for all the City Departments for putting this together. I think it will work well for us.

Member Lynch said once again, very thorough job. I wish I would have had this technology twenty years ago, but it's very well done and easy to understand. You can scroll down to any one of the projects. I know there's a lot of work and a lot of detail behind this and I trust that they've done a good job. I'm impressed with the transparency and how easy it is for anyone in the public to go online and tap on the links to look at any project. I think you guys do a great job every year, with that I would like to make a motion.

Motion made by Member Lynch and seconded by Member Avdoulos.

Motion to adopt the 2020-2026 Capital Improvement Program.

Member Verma said I only have one question about the solar panels. The solar panels that we have put in for fiscal year 2024-2025, can we do it any sooner? We can save energy on the different buildings by doing so.

Assistant City Manager Cardenas said we actually have some solar panels currently in place on the new storage facility at the ITC Sports Park and we are evaluating the cost savings on that, so that's definitely something we can pull forward. Ironically, I just met with a new company that has moved into the city that has a focus on solar panels. They've done a lot of work with area school districts so we might have further dialogue with them to determine if that's a viable option for the new DPW expansion that we just had. That's something we can look into moving forward especially if we realize savings are increasing in the research done at ITC.

Chair Pehrson said I want to thank the Members of the CIP Committee for putting in their two cents and certainly the entire City Staff that get together and wrap their arms around this. Think about the 131 plus projects and having to be a balanced budget for three years and have the vision to be able to look out six to seven years is just amazing. I think I say this every year, but there should be an award given for this kind of presentation and the effort that goes into it, so my hats off to everyone that worked on this. I'm in full support of the CIP Budget as it stands.

Motion made by Member Lynch and seconded by Member Avdoulos.

ROLL CALL VOTE TO ADOPT THE 2021-2027 CAPITAL IMPROVEMENT PROGRAM AS PRESENTED MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

Motion to adopt the 2021-2027 Capital Improvement Program. Motion carried 5-0.

2. BALLANTYNE 2020 JSP20-38

Public Hearing at the request of Singh Development, LLC for approval of the Preliminary Site Plan, Woodland Use Permit, Wetland Use Permit, and Stormwater Management Plan. The subject property contains 50.86 acres and is located in Section 31, on the west side of Garfield Road, north of Eight Mile Road. The site is currently undeveloped. The applicant is proposing to construct 41 single-family residential units as part of a RUD Agreement with lots ranging in size from 21,780 square feet to 44,045 square feet.

Planner Carroll said we've seen this project a couple times, but I will give a brief introduction. The site is located at the corner of Garfield Road and Eight Mile Road and borders Northville Township to the south. It is zoned RA, Residential Acreage, with a RUD Agreement. The applicant is proposing forty-one single-family residential units with lots ranging from about a half-acre to an acre. Looking at the Future Land Use, you see a similar pattern of single family and some park area nearby as well. Right next store, there is a Future Land Use for an educational facility. That land is owned by Northville Public Schools.

There is one wetland on site. That wetland will be maintained and there will be surrounding woodland plantings that you can see on the plan. There will also be the inclusion of two detention ponds. The site will be well landscaped. It's a gated community similar to Tuscany Reserve across the street. It will have two entrances, one off Eight Mile Road and one off of Garfield Road and the entrance off Garfield Road aligns with the entrance to Tuscany Reserve.

As part of the initial RUD Agreement, there's a significant amount of woodland tree plantings that are required, I believe it's around 800 plantings. There's also going to be a walking trail within the natural space. The only thing to really note on this project is that the applicant is seeking one waiver and it is regarding a deficiency in greenbelt width between 8 Mile Road and the southern-most detention pond. Staff supports this waiver request because the proposed layout matches that in the approved RUD agreement. Other than that, there's no other waiver requests. The Planning Commission is asked tonight to hold the public hearing and approve or deny the Preliminary Site Plan, Woodland Use Permit, Wetland Use Permit, and Stormwater Management Plan. Representing the project tonight are Jason Emerine from Seiber Keast Engineering, and Avi Grewal from Singh Development. Staff and Environmental Consultant Craig Willey are available to answer any questions.

Jason Emerine, Seiber Keast Engineering, said I'm joined tonight by Avi Grewal from Singh Development, he is one of the owners and Avi and I have been involved with this project essentially since its inception. We're here tonight to discuss this project. Most of it was covered already by the Chair and Christian. We do have forty-one units on this site, and it is subject of a RUD Agreement with the City of Novi. Four of the sites on this are approximately one acre in size, the remaining thirty-seven are about a half-acre in size. There are two entrances off Garfield Road and Eight Mile Road as discussed. There was discussion about a wetland in the center of the site and that is being entirely maintained. There are 816 required tree replacements in the center park area, that's in addition to the street trees that are lined up along the road itself. Mr. Rick Meader provided a review indicating that we needed to provide some additional street tree plantings in order to be compliant with the new Ordinance. Avi Grewal with Singh is happy to provide those extra street trees. We will address that at final site plan.

The site plan was originally approved in 2014 and if I remember correctly, this is a little unique- I'm

trying to think of the last time I brought a site plan before a Planning Commission that had already been fully titled so this has not only received Planning Commission approval for the site plan, but we got through full engineered stamping sets on this project. We also had all of our sanitary, water, storm water, wetland, road commission permits on this project entitled and in place. We will have to revisit some of those. Some of them have expired, but we will address that after final site plan, but we are here to present this today and myself and Avi are here to answer any questions you may have.

Chair Pehrson said this is a public hearing if there's anyone in the audience that wishes to address the Planning Commission at this time you may do so now.

Kristin Korotney, 49531 Deer Run, said I attended the meetings years ago and the one issue we had was the difference in elevations of our land and the houses to the right and left of us and the land that you're building on. We sit much lower. The concession they said they would make is they would significantly increase landscaping between the land on Deer Run Road and the new development and I don't see that in the plans at all.

Ron Debono, 21591 Garfield Road, said we live directly adjacent to the development. I guess the concern we have is the management of the storm water. Due to the Nine Mile project, we have seen a catastrophic drop in our water levels of our ponds and the concern is that this is going to exasperate the problem. We still don't know what the long-term impact of the Nine Mile Road project is going to be and here's another additional possibility for damage to the ecosystem as a result of this.

Paul Ryznar, 49601 Deer Run, said I wanted to ask three questions. I mentioned that this had been in planning for a number of years now and I was curious why it was not approved back then and what issues there might have been. Question number two involves the fact that along Deer Run Road a number of us rely on the ground water table for drinking water and heating and cooling with a number of geothermal heat pumps that were installed back when the various homes were built in 1998. We are totally reliant on a steady supply of clean ground water. I wanted to understand if there's any risks or what we like to call ground water guarantees that can be given to make sure that there won't be any risk of losing pressure or losing water and making sure that it's clean throughout the construction including the fact that there's a landfill area that was there in the past where the development is going to occur. We don't really know what might have been buried there so I want to make sure that there's no risk of contamination if something like underground oil barrels or whatever it might be are there. Number three is a number of us in the Deer Run area have actually been talking about potentially putting solar panels in because it's a nice south facing roof on Deer Run and want to make sure that if there is a berm with trees that is built as a barrier between the development and Deer Run that there won't be any additional shadowing or shading that might jeopardize the solar aspect of what might happen over the next year.

Chair Pehrson asked for the written correspondence.

Planning Assistant Daniels said there were several letters received. The first one is an objection from Lisa and George Zervos, 21620 Garfield, who have concerns about more de-watering happening in the area and say someone should be held responsible for any more damage that will be done. Another objection from C Tyla Wells, 49449 Deer Run, and Jason Kenison, 49581 Deer Run, say that the City is not properly managing the wet land area in the community. The project at Garfield and Nine Mile Road is in ruins because of the mismanagement of the Rouge River by diverting the community ponds and depriving them of their natural water source. Their research shows EGLE permitting was bypassed by the City in securing ground water withdrawal permits for the work for the dewatering. They ask if this project will be doing the same thing, bypassing proper wetland management? They say the damage currently done has devalued their homes. Pond levels are the

lowest they've ever seen and they have waited over a year for the problem to be fixed. They have spoken to an expert who says the problem cannot be fixed. The de-watered ponds had their water stolen and redirected which has devastated properties on Nine Mile. Also, they are concerned emergency access roads are proposed over a gas line which they shouldn't be permitted to do. There's another objection from Ronald and Jeanne Debono who are concerned about the significant damage done to the wetlands along Garfield road as a result of the 9 Mile Road Drainage Project. They have been told by the City that there is no way to predict long-term results and effects of the projects once its completed. Permitting additional changes to the wetlands before understanding the impact of the 9 Mile Project is illogical. The last letter is from Silviu Lorga, 49450 Deer Run, who objects because of ongoing issues with the de-watering process going on at Nine Mile and Garfield. The lakes and ponds have lost more than half their normal volume and habitats are all suffering. Property values have been lowered. The damage should be fixed before requesting a new permit and engaging in more dewatering activity.

Chair Pehrson closed the audience participation and turned it over to the Planning Commission for their consideration.

Member Avdoulos said I think what I would like to do is have Jason, the project engineer, touch base on some of the questions brought up by the residents.

Jason Emerine, Seiber Keist Engineering, said the first comment was regarding landscaping between the northern side of this property and the Deer Run Development and that was an issue. I apologize, I wasn't at the first round of meetings that took place in 2014, but I was told by my business partner Mr. Cliff Seiber all about the trees and landscaping regarding that. There is a cross section shown on the preliminary site plan that details on sheet 2, from my understanding, what happened in 2004. I was told that there was a big question regarding screening and the ability to see the homes on the north side of the site, but at the Planning Commission Meetings in 2014 there was a request for an additional berm height. What you can see on the cross section is the proposed homes by Singh Development and then the existing homes on Deer Run Road, there is the First Baptist Church property in between the two developments. Back in 2014, there was a request to increase the height of that berm and then increase the heights of the plantings so this was the solution that was brought about in 2014. It has not changed since the previous approval. It is the applicant's intention, in fact, it's part of our site plan to build this berm that looks like its approximately six feet tall on this cross section and then put in mature plantings on top of that berm in order to screen. There is a line of sight drawn on there on the second story of the proposed homes and you can see how it's going through the trees going down to the Deer Run area so this is how it was addressed. It is still a part of this site plan and I believe there were some additional comments that need to be addressed during the final site plan and we will address those so it's still our intention to do the agreements that were agreed upon back in 2014 and 2015.

There were a lot of comments about the Nine Mile Road dewatering project, and I would have to defer to the City of Novi Engineering Department and on anything to do with the sewer project going on down Nine Mile Road. I cannot answer any of those questions.

There was a question about why this project wasn't approved before and the answer to that is this was absolutely approved before. We had preliminary site plan and final site plan approval from the City of Novi, all our permits were in place for sanitary and sewer, water, storm water management, wetlands, and road commission. The same gentleman that asked that question also had a question about ground water. I cannot speak, again, about the Nine Mile Road dewatering process that's going on there or what's happening to the ponds. All I can say on this is the low water of the detention basins on this project which is generally the lowest part of the site is at about elevation 970 plus or minus. That elevation is higher than the homes in Deer Run Park so anything that is dewatered on our

site is still above the elevations of the homes over on Deer Run so there is no dewatering anticipated for utility construction on this project at this time. The long-term effects of this site on ground water will have no impact on Deer Run whatsoever because everything is up and above the existing Deer Run site.

There's also concern about oil barrels on the site that's to the west of this. I can't answer any of those questions about what's going on over there. Lastly, the same gentleman asked about shadowing and potential solar panels. I haven't evaluated that. I would have to look with the Landscape Architect to talk about that. I'm happy to address that with Rick Meader during final site plan. I can't provide an opinion on whether or not the plantings on the top of the berm, which were asked previously to be increased in height, might now need to be decreased in order to provide the ability for solar panels to work, so I guess Rick and I might have to address that at final site plan.

Jason Emerine continued to say the next person discussed dewatering. There is no dewatering plan for the site. For the utility construction and the long-term effects for storm water management are well above everything that was there before. Then I believe we went to communications regarding wetland permitting. We continue to plan on complying with the City of Novi and any EGLE permitting requirements. We did it before, we will do it again. All those permits were in place previously back in 2014 and 2015. None of the wetlands on site were EGLE regulated wetlands so we were not required to get EGLE Pat 303 Wetland Protection Permit for this site. I speculate that will still be the case here moving forward on this site, but these wetlands are regulated by the City of Novi, so it is our responsibility and duty to make sure we get the wetland permit and I believe the wetland permit is actually one of the approvals we were asking from the Planning Commission tonight.

Lastly, there was a mention of a greenbelt waiver and that is the one waiver we are asking from the Planning Commission tonight and that's down the distance between the detention basin and Eight Mile Road. The reason for that waiver is because that was the subject of the RUD Agreement back in 2014 so we would like to request that waiver. All other items that were asked for we are agreeing to increase and then there's some odds and ends that need to be done during final site plan with the engineering department, so we are happy to provide all those items as well.

Member Avdoulos said thank you for that Jason. I'm very familiar with this piece of property and I am familiar with the project how it's been approved and then there was a delay and now its restarting again. It is a beautiful piece of property. The layout presented goes well with the characteristics that are there. I appreciate the fact that the roads are going to be aligned with the Tuscan Reserve across the street at least on Garfield Road. There's also a large area where the wetland is open and there's a lot of open landscaping along Garfield Road and Eight Mile Road so it kind of maintains its rural character. I have no issues with the project and staff is in favor of mostly everything. I'm good with the project and I'll turn it over to our other Planning Commissioners.

Member Becker said when I was reading through the information, I was struck by 35% of 50.86 acres is being put aside for open space and I think that's remarkable. I like the idea that's there's sidewalks. I looked at the one that's already there, it was snow covered but having the applicant put a sidewalk in along Garfield Road is certainly a good thing. I counted the best I could, but over 1,100 trees between the interior street and the regular planting are being planted and for a city that is always struggling to try to keep its trees, I think that's going to be wonderful. I also approve the greenbelt waiver because I'm not sure who it's going to affect other than people walking by on the sidewalk or driving by on Eight Mile Road so I don't consider that to be an issue. The one thing I wanted to check on that seems unresolved is that there was a requirement for woodland replacement trees at 25% being evergreens, but we're going to ask them to reduce that to 10% of the woodland replacement credits and I'm just curious as to where the 10% maximum for replacement credits for evergreens comes from. Is that generic and applies to everybody or is there something different

about this where we said you can't have more than 10 % of conifers or pine trees?

Landscape Architect Meader said that is part of the Landscape Design Manual. It's a generic requirement based on the trees removed will need to be replaced and we don't have evergreen forest around here. They're all hardwood forest. So, 10% is more than most projects have in terms of evergreens on-site so we're trying to be more helpful to the developers in terms of flexibility of design, but we didn't want to have it disproportionate to what is being lost. That's where the 10% came from.

Jason Emerine said I will add on to that that the Landscape Ordinances have changed since this was last done. Rick commented on it in his review letter. The applicant is happy to meet all the requirements about all the different plantings that are required that Rick noted in his letter as part of Final Site Plan Approval.

Member Becker said and with this many trees to hassle over, twenty more street lined trees where they had proposed 219 and we wanted 239. I thank you for exceeding to that but that seems to me to be a pretty small point to do it, but I think this is going to be a wonderful development.

Member Lynch said I went back and looked at my notes. I remember approving this project once before, but I remember the constrictions about the site lines between the two developments and my understanding was that it was resolved and what you did is just prove on the plans that you did resolve that. I also heard it mentioned that this property is part of the Rouge River Watershed and I thought this was part of the Huron River Watershed, is that correct?

Jason Emerine said I actually don't know off the top of my head, but I do know that the storm water outlets on this site at Garfield Road head south through Maybury State Park and I'm pretty certain that there's the river that goes through Marbury State Park that goes south and east and crosses Beck Road and heads down into the City of Northville and if that is the case then that heads over to the Middle Rouge River.

Member Lynch said yes, my understanding is everything south of Eight Mile and West of Beck Road drained into the Huron River. You are at 970 feet and I know the property north of you is about 950 feet so you're at a high point. I think everything kind of flows down that way until it gets to Island Lake and then Island Lake towards Kensington to the Huron Rivers Chain. Is the gentleman from MDEQ here?

City Planner McBeth said our environmental consultant Craig Willey and John Freeland are here if there's a question in particular for our consultants.

Member Lynch said if someone could just let me know what watershed this is part of.

City Planner McBeth said I'm not sure if they're aware of that.

Jason Emerine said I can add that at Nine Mile and Garfield Road the development does heads north into the big wetland complex north of Nine Mile Road and then it heads up towards Ten Mile Road up by the fire station and then does head out to Island Lake and then that is part of the Huron River Watershed. This development is right at the dividing lines. Somewhere up or down Nine Mile Road is the dividing line between the two but this site heads south.

Member Lynch said it makes sense that it would go that way based on the topography. I was listening to some of the comments that the audience brought up and they mentioned something about the Rouge Watershed, but this is a fairly high point. When I heard seventy feet, I don't think there's too many points in that area any higher than that so everything is going to flow. I don't know what went

on over on Garfield and Nine Mile Road and I'm trying to understand and figure out is approving this project again going to exasperate or not affect the concern about the pond levels and the watershed, but based on the applicant, Jason, you said this would have no impact whatsoever on the pond levels on the adjacent properties, is that a true statement?

Jason Emerine said it's up on a hill so typically when you're low and you need to dewater kind of like what I'm assuming they're doing with the sewer on Nine Mile Road, you drive down deep wells and pump water on the ground in order to lower the ground water table. That usually happens when you're down in low areas next to wetlands or water bodies. This project is up at the top of the hill, so we have a little wetland on our site right now. The ground water is nonexistent out here so our sanitary sewer is just deep enough to pick up the basements that only goes down ten feet so the basements on this site are up and above the at grade first floor of all these other homes in Deer Run.

Member Lynch said I'm comfortable now. I do like this project and I approved it once. This was something new and I wanted to make sure I didn't miss anything, but I'm comfortable based on your explanation of what I know about the particular area that the project is going to have no effect on the adjacent property. I would really like to see this one get built. I'm happy from a density standpoint and you probably could have put more homes in there, but you didn't and I'm glad to see you used the green area. I'm glad that you have a wetland in there and I think it's going to be a nice addition to the City. This project has my full support.

Member Verma said I am just born into this Planning Commission today, I don't know all the details but looking into the paperwork, it's very impressive project and I'm for it.

Motion made by Member Avdoulos and seconded by Member Lynch.

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN FOR PROJECT JSP20-38 BALLANTYNE MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

In the matter of Ballantyne, JSP20-38, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Landscape Waiver for a deficiency in greenbelt width between Eight Mile Road and the south detention pond because it is consistent with the approved layout plan of the RUD Agreement, which is hereby granted;**
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those being addressed on the Final Site Plan.**

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Avdoulos and seconded by Member Lynch.

ROLL CALL VOTE TO APPROVE THE WOODLAND USE PERMIT FOR PROJECT JSP20-38 BALLANTYNE MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

In the matter of Ballantyne, JSP20-38, motion to approve the Woodland Use Permit subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Avdoulos and seconded by Member Lynch.

ROLL CALL VOTE TO APPROVE THE WETLAND USE PERMIT FOR PROJECT JSP20-38 BALLANTYNE MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

In the matter of Ballantyne, JSP20-38, motion to approve the Wetland Use Permit subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Avdoulos and seconded by Member Lynch.

ROLL CALL VOTE TO APPROVE THE STORM WATER MANAGEMENT PLAN FOR PROJECT JSP20-38 BALLANTYNE MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

In the matter of Ballantyne, JSP20-38, motion to approve the Stormwater Management Plan subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

MATTERS FOR CONSIDERATION

1. APPROVAL OF THE FEBRUARY 10, 2021 PLANNING COMMISSION MINUTES.

Motion made by Member Lynch and seconded by Member Avdoulos.

ROLL CALL VOTE TO APPROVE THE FEBRUARY 10, 2021 PLANNING COMMISSION MEETING MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

Motion to approve the February 10, 2021 Planning Commission Meeting Minutes. *Motion carried 5-0.*

SUPPLEMENTAL ISSUES

There were no supplemental issues.

AUDIENCE PARTICIPATION

Tom Morris, 49551 Deer Run, said I somehow got missed during the public comment, but when the project engineer was talking about the Ballantyne Subdivision one of the things he referred to the City Engineer for was really related to the water issues and I don't feel that was really addressed very well. The last project really ruined the water system here that is still not resolved. I'm surprised the City Engineer wasn't involved in this meeting to answer those questions before you took the vote. You already did so I don't know what can be done about it but it's disappointing.

Plan Review Engineer Boron said I am not the City Engineer and I am not in charge of public projects, but I did want to say on behalf of the City Engineering Division that I did review this project and I do hear about the Nine Mile Road project from time to time. Honestly, there is a lot of dewatering. It's an exceptional sanitary sewer project. There's something in the tune of several million gallons per day being dewatered currently. The project is not yet completed, but I did have to agree with Mr. Emerine in saying that the site plan as proposed has absolutely nothing to do with the ground water

or dewatering project going on Nine Mile Sanitary Sewer. That is why there are no comments in my review letter regarding that. I would have asked for something more than soil borings and they will provide that, but again, as Mr. Emerine said there's nothing related between the high elevation of the site and the ground water issues in the surrounding area. As far as projects specific to the sanitary sewer project, I cannot speak to that but again my opinion is that they're totally unrelated.

City Planner McBeth said I would add that if there are questions for our engineering staff, they can certainly reach out during regular business hours and we would be happy to talk directly with them about that as well.

ADJOURNMENT

Motion to adjourn made by Member Lynch and seconded by Member Becker.

Motion to adjourn the February 24th Planning Commission meeting. Motion carried 5-0.

The meeting was adjourned at 8:32 PM.