

**ANN ARBOR CHARTER TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
MONDAY, APRIL 5, 2010**

I. ROLL CALL

The regular monthly meeting of the Ann Arbor Charter Township Planning Commission was called to order by Chair O'Connell at 7:30 p.m.

Present: John Allison, Lee Gorman, Diane O'Connell, Kris Olsson, Richard Mitchell, and James Snyder.

Absent: Peter Kotila.

Also present: Township Attorney Sandra Sorini Elser, Township Planner Zak Branigan, Township Engineer Damien Wetzel, Zoning Official John Hamlin, and Planning Assistant Joanne Collins.

II. CITIZEN PARTICIPATION - No citizen signed up for participation.

III. APPROVAL OF MINUTES

Olsson moved approval of the March 1, 2010 meeting minutes. Gorman seconded the motion which was adopted unanimously. Snyder moved approval of the March 8, 2010 workshop meeting minutes. Gorman seconded the motion which was adopted unanimously.

IV. COMMUNICATIONS

Allison reported on the March 15, 2010 Board of Trustees meeting. The Board minutes were included in the commissioners' packets.

V. PUBLIC HEARING

A. Public Hearing to hear comment on the following zoning ordinance amendments:

- 1. Definitions and Interpretation, Section 74-2. Amendments expand definition of Tree/Woodlands Protection Ordinance.**
- 2. Article V, Supplementary District Regulations, Section 74-605. Amendments add standards for Tree and Woodland Resource Preservation.**

i. Presentation

Branigan recommended adding language to the proposed ordinance draft dated April 5, 2010. Branigan suggested adding language on page 8, under section 4, that a tree/woodland survey may be sealed by a civil engineer, and on pages 11 and 13, under section 4, that the building official upon recommendation of the natural features consultant will oversee this process.

ii. Consultant Comments/Planning Commission Comments

Branigan referenced Elmiger's memo dated March 30, 2010 regarding tree fund research. Branigan noted that Elmiger researched tree fund requirements from several neighboring communities and recommended removing the tree fund requirement ~~because the Township can't prove a public purpose.~~ The Commissioners suggested adding a definition for timber harvesting to protect the right of farmers under the right to farm act and to include language for the management of woodlots under exemptions. Allison suggested changing the tree fund to a natural features fund.

iii. Public Comment

O'Connell opened the public hearing at 8:53 p.m.

Ken Koch, 4040 Warren Road, said he doesn't believe we need a township body looking over our shoulders whenever we cut a tree. Koch said trees are renewable resources, and he burns

wood for heat, and is constantly harvesting wood. Koch noted he clear cuts as well and would be in violation if this ordinance is enacted.

Richard Dieterle, 950 Stein Road, commented that the right to farm act includes trees and tree products. Dieterle said the ordinance is too long and too complicated to understand. Dieterle said he would like to see the ordinance simplified and shortened, and that it should apply to developers. Dieterle said he would like to see further clarification of the agriculture exemptions, and how the ordinance applies to open space, so there is no ambiguity. Dieterle noted the ordinance may impose significant costs to a property owner, and may be over -reaching by government, and questioned whether it's constitutional. Dieterle added clear cutting has a bad name that is misunderstood, and he doesn't want someone telling him how to manage his woods. Dieterle also noted the tone of the ordinance is punitive.

Dale Kapp, 4330 Nixon Road, said he is in the greenbelt and recently sold 39 trees. Kapp said as part of the greenbelt requirements he had to have a forester and forestry plan in order to sell his trees.

O'Connell read a letter from Don Oswell, 2150 Warren Road, into the record. O'Connell closed the public hearing at 8:16 p.m.

iv. Planning Commission discussion/action

Snyder said the public comments were good and he would like to see the ordinance revised. Gorman commented they are already waiting on revisions and are not ready to pass the ordinance tonight. Gorman said the right to farm act protects farmers but the ordinance needs to clarify language for farming operations and timber harvesting. Allison agreed with Gorman and indicated 80% of the ordinance is ~~for subdivision site plan development primarily directed at applications requiring site plan review~~. Olsson said developing an ordinance is a deliberate process, and there is a need for more clarification on issues discussed tonight. **Gorman moved to table these ordinance amendments for further discussion. Allison seconded the motion which was adopted unanimously.**

VI. OLD BUSINESS - None.

VII. NEW BUSINESS – None.

VIII. ITEMS FOR DISCUSSION

A. Discussion of the proposed Lighting Ordinance of the Land Development Standards.

B. Discussion of miscellaneous sections of the Land Development Standards.

The Commissioners briefly discussed the lighting ordinance and miscellaneous sections of the Land Development Standards. The Commissioners decided to postpone detailed discussion of these items for their workshop meetings.

IX. INFORMATIONAL ITEMS

The Commissioners scheduled the following topics and dates for their workshop meetings: Woodlands Ordinance, April 19, 2010, and LDS and Hamlin's zoning issues, May 10, 2010.

X. PUBLIC COMMENT – None.

XI. ADJOURNMENT

Gorman moved to adjourn the meeting at 8:59 p.m. Allison seconded the motion which was adopted unanimously.