

CENTERVILLE PLANNING COMMISSION

Regular Meeting - Jan. 28, 1975

7:30 p.m.

Those Present: Messrs Gillingham, Maxton, Baker & McCrabb and  
Mrs. Lake. Also Present: Robert Winterhalter, City Planner, Karl  
Schab, City Engineer & John Levermann, Administrative Ass't.  
Absent Mr. Tate

The minutes of the November 12, 1974 and December 10, 1974 meetings  
were approved. The Jan. 14, 1975 Workshop Minutes were reviewed.

Communications

Mr. Maxton commented on this being the last meeting for Mr. Winterhalter.  
Mr. Schab and Mr. Levermann will be performing the duties of  
the City Planner until a replacement for Mr. Winterhalter is hired.

City Planner's Report

Mr. Winterhalter said that C. Campbell, Gateway Relaty, has  
requested a waiver to Ordinance 87-74, regarding sidewalk location  
near Whipp Road. Mr. Winterhalter said the necessary ap-  
plication is being filled out.

Public Hearing

1. Z-74-10 Application by Augusta H. Son for the rezoning from R-1 to R-3 for  
.92 acres situated along the east side of Lyons Dr., approx. 400  
feet north of Ridgeway and immediately south of the Wythe Parrish  
condominiums.
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Mr. Maxton explained the Public Hearing procedures.

Mr. Winterhalter reviewed the application and suggestions made at the  
Jan. 14, 1975 workshop. Five units rather than six are now being  
shown and no more than two units together. There is one additional  
single family home to the south.

Mr. Seeley showed drawing and made reference to the site plan now showing  
two car garages rather than one car as previously shown. He said he  
understood from the previous meeting that there were five or 6 items  
PC thought would make this better planning - we have provided for all  
except one, he said. 1) The plan now provides for two car garages  
for each unit and at least two exterior parking areas for each unit.  
2) To spread it out and better allow for flow of traffic we now have a  
straight shot in rather than at an angle, he said. In addition, one of the  
units on the northeast corner has been moved to the north and this  
provides a nicer arrangement. 3) Mr. Seeley said his client plans  
perimeter planting as well as keeping existing trees (i.e. the cluster  
of pine trees to the south.) The perimeter has a lot of plantings at  
the present time, he said, and his client plans to screen to the east.

However, regarding the PayLess station to the east - we cannot do much about that, he said, due to the high elevation of the Pay Less property. Hopefully, he added, they might put in plantings to blend with what my client puts in. 4) widening of the driveway (approx. 4' wider). This is not positive, if P. C. would like to widen the ingress, Mr. Seeley's client would be open to that. 5) Mr. Seeley pointed out that the Wythe Parrish units allow for single car garages and he thinks that this plan is better with the two car garages and the extra parking. 6) The drawing shown will be changed only to the extent of including the two car garages. 7) Regarding the deed restriction - to restrict this property at this time to say that at some time in the future some owner might have to adhere to would be unfair. Mr. Seeley said his client is willing to enter into a contractual agreement that he will build residential units as planned but to restrict the property would not be fair. If business would be desired at some future date, they would have to come in anyway (for variance) so PC would not lose control, he said. We think this is a good plan, and ask that it be approved, he concluded.

In answer to Mr. Gillingham's query, Mr. Seeley said that the size of the units is approx. 1500 sq. ft. not including garage and there is the possibility that they may have some with basements. Mr. Gillingham cautioned that basements in that area would be wet ones.

Mr. McCrabb asked about the setback requirement for the side yard. Mr. Seeley said that according to the south side set back, he believes 20' is required. Mr. Winterhalter said our standards are based on single family. 20' would be required for 200' x 200' lot. 20% of the given area for any one of these units. This is hard to compare to our standards which are for single family, not for 5 units on a lot, Mr. Winterhalter said.

An aerial view of the area was provided by Mr. Winterhalter to clarify the location of the prop. in question and the surrounding properties. It was noted that the Pay Less station lot was not directly in back of this property and Mr. Baker said he thought that was the major reason for the request for rezoning.

Mrs. Lake feels sidewalks would encourage walking to town from this area. Mr. Seeley said he did not think his client would be opposed to sidewalks across the front, as proposed by Mrs. Lake. He assumed that this was not shown on this plan at this time because it is not a requirement at this time.

Mrs. Lake asked if the fire department had been asked for their opinion regarding the width of the street. Mr. Seeley said he did not have that in his notes and did not do that, but it was widened approx. 4'.

Mr. McCrabb asked Mr. Schab the existing condition of the street in front

of the existing condominium. Answer: This is a black top road which has been resurfaced not too long ago. No storm sewer at this time in front of this property and no curb.

Mr. Winterhalter said this goes in as one lot and this might circumvent our subdivision requirement. Subdivision is our only legitimate control for this type of thing, he added. Mr. Schab said he thinks if this comes in for multifamily the requirement should be the same as the other condominium.

Mr. McCrabb made reference to drainage problems in same approximate area. Mr. Schab said he believes everything drains down from Park Villa Plat - Terrace Villa plat sewers do take drainage at this time, presumably. There will be a way to bring the storm sewer into the existing sewers.

Regarding requiring this of the applicant - Mr. Winterhalter said this is an awkward vehicle - it is not unusual to ask for certain improvements in connection with rezoning, however. He added that Mr. Farquhar has said there is no way we can legally (require) this without the subdivision application. I do not know about condominiums specifically, Mr. Winterhalter said. Mr. Archdeacon said that final condominium plat does not have to be reviewed. Mrs. Lake said that P.C. has not had the application the 19 required days, this would give the City Planner time to look into some questions - i. e. fire department, etc., before action is taken.

Mr. McCrabb asked if Mr. Seeley thought his client would be adverse to entering into an agreement to take care of storm sewer, street, etc. Mr. Seeley said he would have to talk with him, this was not one of the (previous) concerns they had, based on P.C.'s previous questions. Mrs. Lake said she would want to bring this up to standard. Mr. Seeley said he would take this up with his client, adding that his client is trying to do what is right.

Citizens speaking in favor:

Mr. Robert Archdeacon, 150 Davis, said he lives 2 blocks from the property in question and from what he has seen of the plan, he thinks it is a good one and a good type of a development. It is adjacent to business zoning on '48, he said. He asked if there is a site plan review in R-3. Mr. Winterhalter said that since this is not a conditional use or residential, this really is a planned unit development and this ordinance is not in effect as yet. This does not fit our present ordinance, he said. In answer to Mr. Archdeacon's question No. Mr. Schab said this would actually be in R-3 with a planned unit on this R-3. He thinks there would have to be a review of the plan. He continued that he believes this is a planned unit concept superimposed in a R-3

zoning and this should be able to be reviewed. Mr. Winterhalter said this would have to come in under a conditional use in order to be reviewed. He said (we could) enter into an agreement that this would be improved along the lines presented.

The question was asked when is Wythe Parrish to be cut through? Mr. Maxton said he thought the owner had taken legal action to force the City to do something. Mr. Archdeacon said this has been ignored for quite some time now. Mr. Schab he had talked with Mr. Farquhar and understands that this is not near ready for solution.

Citizens speaking in opposition: None

Mr. Baker asked about the applicant entering into a contractual agreement and about deed restrictions (regarding future offices on the property). Mr. Winterhalter said a covenant is not desired to restrict, but a contractual obligation covenant that would state that the property would be developed in this (specific) manner. Mr. Seeley added that his client would enter into an agreement that he will build what he said he would. A deed restriction cannot be changed, he continued, unless all of those persons that are involved - and with 5 potential (future) owners they could not possibly all agree.

\* Mr. McCrabb made the motion to table decision to rezone to allow time for the City Planner to review. Seconded by Mrs. Lake. Motion passed unanimously.

Mr. Maxton said he is in favor of the plan and will vote for it but feels we should now address ourselves to the street and some contractual agreement can be made that he will make street improvements on his side of the street.

Mrs. Lake said she is favorably impressed and thinks this is a much better plan (than presented previously). She added that she feels this is the time to iron out these questions.

#### Unfinished Business

#### 2. Approval of Record Plan, Seeley Plat, Section 2.

Mr. Winterhalter reviewed the plans and pointed out the location of the plat.

Mr. Schab pointed out that the location is on Rt. 48 across from Elder-Beerman and the main problem is drainage. Manhole frequently fills up creating problems because the drainage is shallow. The drainage ends up in Mr. Lehr's land. Once the land to the east is developed and the sewer system is in the problems will not exist. Until then, we will have problems because an open ditch leads to Mr. Lehr's land. In consulting with the Twp., a .05 drainage is not the best but would suffice until the land to the east is developed. Mr. Schab recom-

mended approval with a \$22.00 inspection fee and \$7,000.00 bond, also cause to have this bond made out in such a way that it will include cleaning of the ditch and the developer should be made aware that within one year after release of bond, there will be another maintenance bond for a longer period of time than usual to take care of this. The Twp. is in agreement with this, he said. This is to assure that if and when this should be in Centerville, it will be.

Mr. Maxton asked if the ditch across the property will be enclosed at a later date. Mr. Schab said it will have to be enclosed at a later date. He pointed out the present manhole and the 24" pipe. Mr. McCrabb asked about the size of the present drain. Mr. Schab said it was 24" tile and he showed the path of the open ditch. Mr. Maxton asked if the turn wasn't 90°. Mr. Schab said it was probably not 90°, but it did turn - the big problem was that the owner formerly said he wanted compensation and did not want the other land lowered. There is now an agreement between the owners to lower the grade and bring the drainage into the existing ditch. Unless this is lowered, we would not let them through, he said. Mr. Schab continued saying that it is highly unlikely that the tile will be in the center of the line, but would be perhaps a few hundred feet from where it is at the present time. Mr. Maxton said that PC wants controls to assure that it will be put in. Mr. Gillingham asked if this would be taken care of before the back lot would be sub divided. Mr. Schab said yes, and added that Section 2 is one single lot. Mr. Maxton asked if a maintenance bond was received. Mr. Schab said that it had been, but not at the \$5,000 figure.

Mr. Baker asked for further clarification of the drainage situation, which Mr. Schab provided. We do not have a place to receive the drainage right now, he said and if it were enclosed right now we would not know where it would go. Right now a portion of this is in existing swale. it is very marshy. We previously had a discussion that 0.05% grade would be possible all the way to Atchison Road, but no assurance as to where it would be. It depends on the plat, he said. Mr. Baker asked if the maintenance bond would cover the cost of the tile. Answer: not nearly. Mr. Baker asked if the entire length should be tiled in five years. Answer: yes. Mr. Schab said that this is in the Twp. at the present time and they have been satisfied with this solution. Mr. Schab said that perhaps Mr. Baker is write and a bigger bond should be required so this could be tiled at a later date. Mr. Baker said that unless at some time a building is constructed he doubts that this would be tiled unless assurance is made that this can be done. Mr. Maxton asked Mr. Schab to establish a cost for tile. He said perhaps another \$3,000 for a total of \$10,000 - it would be 24" tile, but would be shallow. (\$11.50/ft. est.) Mr. McCrabb feels this figure might be low.

Mrs. Lake said she goes along with Mr. Baker but does not see a provision if the Lehr property is developed and the back half of the Seeley

property is not developed. Whether the back property is developed or not, she said, the drain tile should be completed and we should have assurance that this would be done.

\* Mr. Maxton made the motion to approve Record Plan, Seeley Plat, Section 2, subject to a tile being installed from the end of the now proposed storm sewer to the end of the plat at the time the present Seeley plat is developed and to assure this the bond would be for an additional \$3,000 and would not be released until such tile is installed. Seconded by Mrs. Lake. Motion denied 3-2. Those opposed: McCrabb, Baker & Gillingham. In favor: Lake & Maxton.

Mr. Baker asked what type bonds are proposed. Ans: A maintenance bond will be required with the performance bond is released and that this maintenance bond might be required for a longer time (only 5% of the performance bond) and runs for 1 year and expires if nothing is done. It could be a \$10,000 bond for the cleaning of the ditch and this maintenance bond could be levied for longer than one year as long as the ditch is kept clean. At such time as the performance bond would be reduced, the maintenance bond would commence. The maintenance bond takes place after the performance bond. This tile would only be approx. 220', there would be a gap of approx. 300' unless there is a storm sewer tile - there will be an open ditch or some means to get the water lower. A mention of this in the maintenance bond would not be out of line, Mr. Winterhalter said. Mr. Maxton said that bonds are set by Council - we are doing this for the Twp.

Mr. McCrabb asked if, when the performance bond is up at the end of the year, is it by stature that we automatically receive 5% from the developer? Mr. Schab said that we agree at the time the performance bond expires we agree to a 5% maintenance bond. He said Mr. Farquhar always insert <sup>a statement</sup> that there will be a maintenance bond after the release of the performance bond. This is part of the agreement with Centerville (Twp. does not do this.). Mr. McCrabb asked about the legal ramifications regarding this property's drainage dumping on the other property. Mr. Schab said the owner agrees that this owner will construct an agreement that he will install tile. I don't know, he continued, that the owner would agree to have it in a different place - this involves value to his property.

Mr. McCrabb asked the question - if this is increased to \$10,000 are we saying they will not get a release until the ditch is completely tiled? Mr. Maxton said they could come in and ask for a partial release. Mr. McCrabb said that if he had to do it he would figure he can do it cheaper today than next year. If we force him to do this where do we tell him to take it? Mr. Schab said that if the owner doesn't want to use his lot for anything else (building not to be put in) - he could put it anywhere but if he puts it somewhere that would render the land unuseable, that would be the owners problem. Mr. McCrabb asked if we would provide easement. Mr. Schab said that no definite easement is provided at a specific place.

Mr. Baker asked the question - if the sewers are in in a plat next to me and I want to put sewers in do I not have to back up to the next door sewers? Answer: yes. Baker: Then the owner to the east would have to attach to it if this is already in? Answer: yes.

Mr. McCrabb asked how much from across the street ( 48) drains in there? Mr. Schab said he did not know, but could look it up. Mr. McCrabb commented on his concern that 24" tile would not be adequate in a few years. Mr. Schab said this is not the whole property - there is never 100% run-off factor. He said that in a downpour, the biggest down-fall is in the first half hour. Mr. McCrabb asked if Mr. Schab was satisfied - especially when the area across the street is developed. He said theoretically he is. The owner is saying that right now what he is showing on this plan he is going to do - either right now or in a year or two.

Mr. Gillingham asked if there is a storm sewer on lot #1. Mr. Seeley answered that it is a natural run-off - anyone who moves it will have to pay the other people. (Mr. Seeley owns #1 but is not now associated with the plan being presented at this time.) He was asked about legal affect moving the direction of the drainage would take place. He answered that technically Mr. Lehr would not have to receive the flow - he could attach tile and sue for damages. He (Mr. Lehr) is agreeable to the way it is and legally he could prevent it. Mrs. Lake asked: at the time #2 is developed, what happens to the ditch at lot #1? Mr. Seeley answered that provision would have to be made to continue to accept the water from #1 - by the same token I cannot change the flow from my property.

Mr. Baker said that if this were a 200 home plat, we would require sewers.

Mr. Maxton said that all we want to do is assure that at some future date the tile will be put in - no matter which is first.

\* Mr. McCrabb made the motion to accept the Seeley Plat, Section 2 as shown with the following stipulations 1) Bond be \$11,000 (since there are two manholes), 2) The release of any portion of that \$11,000 be accomplished with an easement of an extension of the storm sewer and the final work plans of the storm sewers and that the existing ditch be established according to the percentage set by the City Engineer and be maintained at the time it is open, 3) Inspection fee: \$22.00. Seconded by Mr. Gillingham. Approved unanimously.

A ditch will be all the way across the back, enclosed in a storm sewer all the way across the back at a certain time. At the time of the release of the performance bond, everything will be enclosed.

3. Review Flood Plain Zoning Amendment.

Mr. Winterhalter said he had received a communication from the housing development. We have until a year from June 1975 to so designate areas that would be flood plain and buildings that would be built on that land. He said there is no urgency on this. HUD sent a map with the flood plain warea - analysis has been done. He said that it was found that where HUD showed flood plain were too wide and other areas were not included at all - this is being reviewed by HUD and not until June or July will we need anything on this. The main areas of homes or what will be homes, Mr. Winterhalter concluded, is the very back of the property.

4. Workshop Discussion

It was determined that this would be discussed at the forthcoming workshop, along with subdivision regulations and group housing. Mrs. Lake said that Council had decided to send the group housing ordinance back to Planning Commission. Council is asking for a total and comprehensive group housing ordinance including language, what type of regulations P.C. recommends, etc. They want a recommended ordinance from P.C. since this is our function. They want us to have and to take the latitude so they are looking at a total picture city licensing, fees, etc. Mr. McCrabb said he would like this to be in the form of a motion from Council. Mr. Maxton suggested that it would be to P.C.'s benefit to defer a workshop until a new City Planner is available. Mrs. Lake said that Council considers this a priority item. Council's concern is that none of us should be put into the situation where no one knows the rules. Mr. Gillingham said that previously Council had not accepted a recommendation from PC since it had not been voted on by PC prior to going to Council - this is the same thing in reverse, he said. Mr. Winterhalter said he thought a specific motion could be sent - sometimes from a Council workshop the direction desired for P.C. is not clear, he said. Mr. Maxton would like to defer the workshop - and hopefully the vacancy on P.C. would be filled by that time. It was also stated that it is probably that Mr. Tate will be able to attend the next PC meeting. Mr. Baker said he thinks PC should be as instructive as possible to Council. The best progress we make, he said, is when the legal representative is present and in view of the restrictions we must be placing on this (ordinance) we are willing to work on this if the legal attorney is available. Mrs. Lake said she agrees that the attorney is for this board as well as other boards, and most of our questions from now on will be technical questions needing the city planner and the attorney as well as the City Manager and the City Engineer - total staff input will be required, she said. Mr. Maxton agreed, saying that is why he would like to defer the workshop. Mrs. Lake said she does not like to see this deferred because it will be awkward (regarding the ordinance). Mr. Winterhalter said that a lot of the work is codified and language changed regarding the subdivisions -60% are the same as what is in affect.



5. Approval of Record Plan, Jamco Plat, Section 1, a subdivision in Washington Township for multiple family dwellings located south of East Spring Valley Road along the east side of Mandel Drive.
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Mr. Winterhalter reviewed the record and showed a slide of the area. He said Mandel will be there when Huber is developed. He said that rather than stark stopping, perhaps a flare or merging affect could be developed. This area will be for double and multi-family. Mr. Schab said it is agreed that some provisions should be made for narrowing down. At this time there is really no danger here but as this is being developed to '48, some cars will be using the east bound lane and splitting up and narrowing down. He suggested a painting project and 'cat eyes' to make it visible. He said this is worked out by the Twp. and there are no other streets involved. Mr. Schab recommended the bond for this plat be set at \$12,100 and inspection fee of \$40.00.

Mr. Winterhalter said that in our subdivision requirements at this time there would be 1 ~~three~~ every 25'. This has not been put into a bond action, but this might be something to consider in the future. Street lights are a question - one street light coming out Mandel might be imposed and some other streets off Mandel we might want to require lights, he added, specifically at the intersection.

Mr. Archdeacon said he objects to street trees as being a hazard. He said five years ago the city voted the tree requirement down. He added that Mandel is already a street of record - approved by the P. C.

Mr. Archdeacon asked who would pay for the lights. Mr. Winterhalter said there are many ways - the municipality or the twp. are possibilities. He said he is thinking in terms of safety. Mr. Archdeacon said he does not think the city can impose a burden on the twp. Mr. Winterhalter said that normally in street light assesments, the property owner pays. Mrs. Lake said comments have been received from citizens of the Twp. and the city saying that coming off thorofares there is not enough light. What can we do, she asked? Mr. Winterhalter said it all depends on who is going to pay - for example, on Clyo and Franklin the city is going to have to pick up approximately 90% of the cost. In this case cost could be assessed to the property owners, the present ones as well as future. (Plymouth N tch has no assessments at the present time for lights, he said.)

Mr. Gillingham asked Mr. Winterhalter if he is saying that on this drawing we should require street trees. Answer: I am saying that is a part of the ordinance at this time - I am talking about requiring bond in the future, we do not now.

Mr. Schab was asked about the size of the storm sewers. He said that is a temporary swale, flat land is served by an open ditch with minimum grade at the present (temporary swale is approx. 810' long.)

Mr. McCrabb asked Mrs. List (Wash. Twp.) if she had seen the grading and utility plan and she said she had. He then asked Mr. Schab if the area in the center of each property was the buildable area. He answered that that is the area that the building is going on, but not the size of the building. Mr. Archdeacon commented that this is to provide level space to work.

\* Mr. Maxton moved to approve the Record Plan, Jamco Plat, Section 1 subject to \$12,100 bond and \$40.00 inspection fee. Seconded by Mr. McCrabb. Approved unanimously. Mr. Schab said this is based on 20¢ per foot.

5. Approval of Record Plan, Normandy Farm Estates Two, Section 8, a subdivision located along the west side of Normandy Lane south of Alex-Bell Road.

Mr. Winterhalter reviewed the alignment of I-675. He said that hopefully the major humps can be removed between the township and the city and then have the road widened and have two 12' moving lanes to Alex-Bell. Anytime you have an intersection of 60-70 deg., you have a traffic hazard, he said.

Mr. Gillingham asked why the sidewalk was not straight. Mr. Schab said it is not straight to preserve existing trees and to take care of grade problems. Mr. Schab continued that this is shown as a 50' right-of-way, the reason being that when this preliminary plan was approved there was a 100' right-of-way requirement. However, he will dedicate the 0' right-of-way and it does not matter that the sidewalk is right by the right-of-way line. Mr. Schab suggests that the sidewalk be brought out all the way to Grants Trail rather than stopping where this plan shows. Mrs. Lake asked about the purpose of the gap - Mr. Schab said this is to bring it out to the future berm. Mr. Archdeacon said there is a big drop-off at the edge of the right-of-way. Mrs. Lake asked if the curving of the walk is intentional to meet topo conditions. Mr. Schab said that if it is P. C.'s wish, some off-side improvement would be required. Mr. Maxton said that if sidewalks are on both sides of Normandy Lane, he would like to see them continued on across the property - but this presents a problem. (It was established that there is a rock garden up the hill in front of one lot.) Mr. McCrabb said that with a 50' right-of-way we don't have this problem. Mr. Archdeacon said the property owner maintains this at the present time

This plan is 5' sidewalks - 4' is required in residential. It was suggested that perhaps 4' could be used to offset for doing grading at the one end. 5' is the requirement, but this could be deferred. Mr. Archdeacon said that Mr. Anderson is here tonight and we would agree to this - to go all the way to Grants Trail rather than stopping where this plan shows. (The developer does not have to put sidewalk to Grants Trail)  
Mrs. Lake asked about the reason for the 5' width requirement.

It was stated that the reason was that it was felt this would be a comfortable width for those using it. Mrs. Lake asked if this 5' requirement were waived on this side of the street, would it jeopardize the 5' requirement for the east side of the street. Mr. Schab said it would not.

The area plan was reviewed in depth by the members. Comments: Setback for 401 should be basically parallel to the area that the State will require for the I-675. Mrs. Lake asked, if we go along with this 24' - when this goes to a wider road - who pays for it? Mr. Archdeacon said the township, county, state - there are many options. Mrs. Lake expressed concern that if this developer is not required to do this at this time (5' sidewalks) he could be getting a break subsequent developers would not get. Mr. Winterhalter agrees that this is a thoroughfare, but we should try to make the intersection safer even if it is. Mrs. Lake said Normandy lane is hazardous as it is - we should not make it worse. Mr. Schab said that half of the roadway would be widened to 12' and a 10' wide berm would be installed with gravel base of 4-8' with hard black surface. This would not be permanent or for heavy traveling, but for emergency and temporary use, he said. Mr. Maxton said we are basing this on I-675 coming through but we are not sure this will happen and if it does not happen, where would we be then? Is this (proposed plan) acceptable? Mr. Winterhalter said he did not think so - we don't allow half streets and this is what we would be doing here. We should require as a minimum 24' if we are going to develop this - I-675 may not come in, he said, and the minimum I would require is 24' back-to-back and now you (would) have 18'. He would rather see a reduction in the base and get the width. Mr. McCrabb said that normally he would agree, but here, if we widen this, we would have a dead end and a bridge and thinks this would be creating a problem.

Mrs. Lake asked about the vertical alignment. Mr. Schab said there is a severe grade problem (lots 399, 398, 397, 396) from Grants Trail - it is comparatively level but then we have a bump, he said. If this would be coming about, probably the township would be agreeable to lower the other side as well. However, a cost estimate would be required prior to agreement. There are four lines (i. e. SOHIO) that would be affected by the sewer lines, he said. Mrs. Lake feels one of the most hazardous parts is the bump itself - if we are going to talk about safety, this is the time. Perhaps we might have to deny this at this time to give them an opportunity to speak to this, she said. Perhaps a certain amount of control could be gained by not eliminating the bumps but controlling the driveway coming up to the roadway. Perhaps the driveways should be restricted and leave the bump. Mr. Archdeacon showed the location of the driveway. Mr. Maxton said the bump removal is hazardous because of the gas lines and the township would have to pay for it. They might not be able to do this at the time they should do it, he said.

Mr. Winterhalter said that it is typical that the easy land is developed and then the thoroughfare presents problems for development. Mr. Archdeacon said that at the time this plat was approved, there were no requirements to do anything to Normandy Lane. Mr. Archdeacon confirmed that these were put off until the last.

Mrs. Lake said that we have an obligation to the residents who will be using it and when we create developments along 'roller-coaster' hills, we have a lot of problems in an area like this. It would take a lot of coordinating.

Mr. Archdeacon said he does not know what can be done other than what they are doing. Mr. Anderson said that in other towns they have developed assessment policy - he thinks that is the way to deal with this - and you cannot do this on a 'spot' basis, he said. Mr. Maxton commented that if there weren't other factors involved here, this would be a good place to start and it could prevent the city from expenses in the future.

\* Mr. McGrabb moved to accept the Record Plan, Normandy Farm Estates Two, Section 8 as shown with the modification of the 4' sidewalk to be extended from Alex-Bell Road to Grants Trail and that lot 401 setback line be made to coincide with the line established by the State for the future grading. Bond of \$8500\* and Inspection fee of \$88.00. Driveway to be located as shown on exhibit "A". Seconded by Mr. Gillingham Motion defeted 3-2.

Comments prior to the vote: Mrs. Lake asked if curbs were not being required. While the widening might be done by assessment, should a bond be put in escrow to cover this? Mr. Winterhalter said that this would be the same as Alex-Bell - deed restriction on the record plan that residents on these lots would have the right to refuse assessment in the future. (rather than escrow). Mr. Archdeacon said he did not know how you could market a lot with unlimited future assessment. Mr. Winterhalter said that there are restrictions to assessments being more than 33% of the market value of the lot. Kettering has worked a policy like this very successfully. Assurance is desired that this would be a 24' road at some time in the future. It was stated that the other side of the road, on the twp. side, (would) stay the way it is. ( a 12' plus 10' birm on one side and 8' on the other.)

Mr. Baker asked Mr. Archdeacon if, in his professional opinion, he would say this is an excellent job of handling this intersection. Mr. Archdeacon said that he thinks this is the best they can do at this time.

Mr. Maxton summed up the areas of concern: sidewalk from Alex-Bell to Grants Trail, driveway to eliminated, bumps cannot be resolved( it entails twp. action), the intersection at Alex-Bell (most dangerous is at northeast corner and they have no control over that, dissension regarding deed restrictions. Mrs. Lake said the township doesn't wish to

do this or cannot do this. If this happens, I can see the other side come in after we have blown this. This is what I expect to happen, she continued, and I am not blaming the developer - it would just be too late then. Mrs. Lake asked Mr. Winterhalter if he could get with the twp. and see what could be worked out. He said he did not think the twp. has said no. Mr. Archdeacon said he did not see how this could be done for a year - certainly not until next summer due to the gas lines, etc. Mrs. Lake said we must look at this and not loose the opportunity to make some of these changes. I am not sure that the twp. engineer has done more than give an answer with very limited study, she said.

Mr. Maxton said that the applicant can refile, but PC has turned this down. He asked Mrs. Lake if she would like the planner and the engineer to review this with the township. She said she would like to see just what could be done. Mr. Archdeacon said the gas field people have probed the depth and it is 30" so we cannot take anything off. Mr. Schab said that in this specific (larger) hump we cannot take the hump out and go straight. It was suggested that Mr. Levermann might be able to review this with the applicant and the township. Mrs. Lake suggested they also speak to the curb waiver. Mr. Archdeacon said they are agreeable to that.

Mr. Baker said he would like to see more detail on the intersection. He considers it very unsafe. Mr. Archdeacon said he thought that was an engineering problem and he had talked with the engineer and thought it was resolved.

The right-of-way has not been purchased as yet for I-675. Some are being negotiated, Mr. Schab said.

Meeting adjourned at 11:15 p.m.

Next Meeting: February 11, 1975

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