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**Hamburg Township
Planning Commission
Wednesday, November 18, 2020 7:00 P.M.
7:00 P.M.**

1. CALL TO ORDER:

The meeting was called to order by Chairman Muck

Present: Bohn, Hamlin, Leabu, Muck, Muir & Priebe

Absent: (1 Vacancy)

Also Present: Scott Pacheco, Township Planner & Amy Steffens, Planning & Zoning Administrator

2. PLEDGE TO THE FLAG:

3. APPROVAL OF THE AGENDA:

Chairman Muck stated that New Business 7b needs to be struck from the agenda.

Motion by Muir, supported by Leabu

To approve the agenda with the removal of New Business 7b

Voice Vote: Ayes: 6 Nays: 0 Absent: 0 1 Vacancy MOTION CARRIED

4. APPROVAL OF MINUTES:

a) October 21, 2020 Planning Commission Meeting Minutes

Motion by Hamlin, supported by Bohn

To approve the minutes of the October 21, 2020 Planning Commission Meeting Minutes as presented

Voice Vote: Ayes: 6 Nays: 0 Absent: 0 1 Vacancy MOTION CARRIED

5. CALL TO THE PUBLIC:

Chairman Muck opened the call to the public. Hearing no comment, the call was closed.

6. OLD BUSINESS

a) Public hearing for Zoning Ordinance Text Amendment (ZTA 20-006) proposes revisions to Section 9.6., Regulation of Floodplain Areas. The proposed amendment would clarify the NFIP requirements; identify the special flood hazard area the township administers; and require a one-foot freeboard, including for equipment

or mechanical items, for all residential buildings constructed, substantially improved, and/or reconstructed due to substantial damage throughout the floodplain area.

Chairman Muck stated that this was discussed at the October meeting and given back to staff with suggestions. Staff has provided comments from the Livingston County Building Department and State NFIP Coordinator.

Amy Steffens, Planning & Zoning Administrator, stated these proposed changes are essentially required if the Township would like to remain a Class 8 community under the CRS program. If we do not make these changes, we will be moved to a Class 9. Our residents would lose an extra 5% on their flood insurance premiums. She is recommending that we incorporate the changes suggested by the EAGL NFIP Coordinator. She included in the packet his email that outlines his changes. He also comments that our ordinance is not "up to snuff", and she does agree with that statement. She did explain to him that we are going to re-do our entire Floodplain Ordinance next year. However, these changes need to be in place as soon as possible. The other changes will be discussed at a later date as they are very complicated. She is asking the Commission tonight for a recommendation for approval.

Commissioner Bohn stated that there were comments from both individuals regarding the extent of enforcement and issues relative to the Building Code. He would suggest that the Township Attorney look at that issue. There were also comments regarding the distinction between the State Building Code and our Ordinance relating to our standards. He believes that it is stated correctly in our ordinance that flood proofing is not an acceptable alternative to raising mechanical devices. Steffens stated that is correct and stated that the Township has adopted a resolution and a companion general ordinance that lays out the floodplain regulations. It is stated in the ordinance it does state that the Livingston County Building Department is the enforcement authority for the residential building code. This situation does create some problems because now they need to remember that we have a higher standard than what the residential building code requires. We have to have those elevation certificates prior, during and after construction.

Commissioner Muir stated that we are requiring a minimum one-foot freeboard. He questioned if we make sure that a house does not dump water on the neighbor. Steffens stated that you can raise the building envelope to get it out of the floodplain so that the lowest grade is at base flood elevation. We do not have a lot in our ordinance that speaks about residential drainage. Drainage is a civil matter in the State of Michigan. However, we have a requirement that you cannot increase the flow or velocity onto neighboring properties above pre-construction conditions. You can also just raise the house, which does not do anything to the grade itself.

Commissioner Muck asked if the grade certificate requirements are only for those within the flood zone. Steffens stated that it is required if you are doing any construction within the FEMA's identified floodplain.

No public was in attendance to comment on this zoning text amendment.

Motion by Bohn, supported by Muir

To recommend to the Township Board approval of Zoning Ordinance Text Amendment (ZTA 20-006) - revisions to Section 9.6., Regulation of Floodplain Areas.

Voice Vote: Ayes: 6 Nays: 0 Absent: 0 1 Vacancy MOTION CARRIED

7. NEW BUSINESS

- a) Public hearing for Zoning Ordinance Text Amendment (ZTA 20-007) proposes revisions to Article 14 Planned Units Development (PUD). The proposed amendment includes revising wording for clarification purposes, amending the area, height, bulk and layout regulations for ECHO and CHPUD projects, adding regulations to allow more than one type of PUD to be in a single project, and consolidating the review standards for all PUD projects.
- b) Draft zoning text amendment ZTA 20-008 for alternative energy regulations
- c) Adoption of 2021 Planning Commission meeting calendar