

**SUPERIOR CHARTER TOWNSHIP BOARD
SPECIAL MEETING
MARCH 5, 2012
ADOPTED MINUTES
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1. CALL TO ORDER

The special meeting of the Superior Charter Township Board was called to order by the Supervisor at 5:00 p.m. on March 5, 2012, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

2. PLEDGE OF ALLEGIANCE

The Supervisor led the assembly in the pledge of allegiance to the flag.

3. ROLL CALL

The members present were William McFarlane, Brenda McKinney, David Phillips, Nancy Caviston, Lisa Lewis and Alex Williams. Trustee Roderick Green was absent.

4. ADOPTION OF AGENDA

It was moved by Caviston, seconded by Green, to adopt the agenda as presented

The motion carried by a voice vote.

5. APPROVAL OF MINUTES

No minutes were approved.

6. CITIZEN PARTICIPATION

A. NON-AGENDA ITEMS

There were none.

7. REPORTS

A. SUPERVISOR

There was no report by the Supervisor.

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B. DEPARTMENT REPORTS:

There were none.

8. COMMUNICATIONS

There were none.

9. UNFINISHED BUSINESS

There was none.

10. NEW BUSINESS

It was moved by Caviston, seconded by McKinney for the Board to change the order of the agenda and to address item B. of the agenda first.

B. ORDINANCE NO. 183 AMEND ORDINANCE NO. 180, FLOOD HAZARD AREA REGULATION, SECOND READING AND ADOPTION

The Federal Emergency Management Agency (FEMA) has scheduled new Flood Insurance Rate Maps to be adopted on April 3, 2012. This requires the Township to amend Ordinance No. 180 to reflect the new maps. Copies of proposed Ordinance No. 183 and Ordinance No. 180 with changes were provided to the Board. The first reading the Ordinance was approved by the Board on February 21, 2012.

The following resolution was moved by McKinney, seconded by Caviston for second reading and adoption:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE NO. 183
AN ORDINANCE TO AMEND ORDINANCE 180-AN ORDINANCE TO
DESIGNATE AN ENFORCING AGENCY TO DISCHARGE THE
RESPONSIBILITY OF SUPERIOR CHARTER TOWNSHIP, WASHTENAW
COUNTY, AND TO DESIGNATE REGULATED FLOOD HAZARD AREAS
UNDER THE PROVISIONS OF THE STATE CONSTRUCTION CODE ACT,
ACT NO. 230 OF THE PUBLIC ACTS OF 1972, AS AMENDED**

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THE CHARTER TOWNSHIP OF SUPERIOR ORDAINS:

Section 183.01, amend Section 180.03 as follows:

Remove Section 3 in entirety and replace with the following new Section 3:

Section 3. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled “Washtenaw County, Michigan (All Jurisdictions)” and dated 4/3/12 and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) of 26161C; 0260E, 0266E, 0267E, 0268E, 0269E, 0280E, 0281E, and 0288E dated 4/3/12 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the “Flood Hazards” section of Table R301.2(1) of the Michigan Residential Code.

Section 183.02 Severability.

Should any section, subdivision, sentence, clause or phrase of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 183.03 Publication.

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8 of the Charter Township Act, being MCL 42.8, 3(b) within 30 days following the final adoption thereof. This Ordinance shall become effective immediately upon said publication and the same shall be recorded in the Ordinance Book of the Township, and such recording authenticated by the signatures of the Supervisor and Clerk.

AYES: McKinney, Phillips, Caviston, Lewis, Williams, McFarlane

NAYS: None

ABSENT: Green

ABSTAINED: None

The resolution was adopted.

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**A. ORDINANCE NO. 174-08, HYUNDAI AMERICA TECHNICAL
CENTER, INC. - AREA PLAN AMENDMENT, FIRST READING**

Mark Torigian, Hyundai Area Technical Center, Inc. (HATCI), General Counsel, made a presentation to the Board about the proposed new construction at HATCI that necessitates amending the current Area Plan, which was approved October 1, 2003. The new construction includes five projects: a two-story, 19,000 square foot environmental chamber that will house dynamometer test stations; adding 200 square feet to the existing hazardous materials storage building; add 65 new parking spaces to the central building parking lot; add a new electric sub-station that will connect to the 120KW lines that run along the northwest corner of the parcel; and, remove the existing electrical sub-station, which is adjacent to LeForge Road. On February 22, 2012, the Superior Township Planning Commission reviewed the petition and recommended approval with the following conditions: A waiver of building height for the new building be approved so that the height of the new building can match the height of the existing building; the natural vegetation along the west property line be undisturbed and kept in a natural state; provide satisfactory plans for the screening of the proposed new electric sub-station, which will include berms and plantings on and around the berms; provide the required Zoning Ordinance information referenced in OHM's February 14, 2012 letter. Board members discussed the proposed amendments to the Area Plan. Board members expressed comments that the HATCI development has been very good for the Township. HATCI pays a large amount in taxes to the Township and other taxing jurisdictions, yet they require very little in the way of services from the Township. There are very few calls for police, fire or other services for the HATCI campus. The HATCI campus is attractive and well maintained. HATCI was created many good-paying jobs. Board members indicated strong support for the proposed expansion of HATCI. Clerk Phillips reported that the Planning Commission expressed strong support of the proposed HATCI Area Plan amendments. However, there were concerns about the visual effect of the electric sub-station. Planning commissioners indicated they would like to see the sub-station "fully screened". Supervisor McFarlane indicated that he felt it was impractical and cost prohibitive to fully screen the sub-station. He indicated that the developer needed to "soften" the visual effect of the sub-station by placing a berm around portions of the sub-station and plantings on and around the berms. There was extensive discussion about screening the sub-station. Mr. Torigian indicated that the components of the sub-station reached a height of about 18' and that there were restrictions on the height of trees allowed to be planted in the electric wire right-of-way. He indicated he was in full agreement of screening the substation, but it was probably not possible to screen it so that it could not be seen from Geddes Road. Treasurer McKinney agreed that it was not necessary to screen the sub-station so that it could not be seen from Geddes Road. She expected to see berms and plantings that would help to conceal most of the sub-station

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and was confident that based upon the quality of HATCI's current property they would do a good job with the screening. Other Board members expressed similar opinions. Phillips commented that Section 14.10 of the Zoning Ordinance contains requirements and standards for screening an electric sub-station.

The following motion was moved by Phillips, seconded by Caviston:

Approve the first reading of Ordinance #174-08 Hyundai America Technical Center, Inc., Amendment to the approved Area Plan dated October 1, 2003, as depicted on the plan dated January 27, 2012. The Board has made findings that the proposed amended plan meets the requirements for amending the original area plan as required by Sections 7.102 and 7.106 of the Zoning Ordinance. As allowed by the Superior Township Zoning Ordinance, on December 1, 2003, the Township Board approved a waiver for the height of the existing building and approved a building height of forty-two (42) feet in height. On February 22, 2012, as allowed by Section 7.303(G) of the Superior Township Planning Commission recommended the previously approved building height waiver be allowed to also apply to the proposed new addition. The Board therefore approves a height waiver to the new addition and the height of the new building addition be allowed to match the height of the existing building, or a building height not to exceed forty-two (42) feet. The Superior Township Board of Trustees further requires that the approval be conditioned upon the applicant complying with the following conditions:

1. The Preliminary Site Plan submittal will include satisfactory plans for the screening of the proposed new electrical substation as required by Section 14.10(F) of the Zoning Ordinance, which will comply with the requirements of Section 14.10 of the Zoning Ordinance and will include berms and greenbelt buffer plantings on and around the berms.
2. Provide the required Zoning Ordinance information referenced in OHM's February 14, 2012 letter with the Preliminary Site Plan submittal.
3. The natural vegetation located along the west property line of the parcel shall remain undisturbed and be kept in a natural state.
4. The transition buffer and side-yard setback shall be properly labeled on the Preliminary Site Plan. Reduction of the required dimensional standards for the side-yards is approved by the Board at the electrical substation only, as allowed by Section 7.003 of the Zoning Ordinance.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ORDINANCE # 174-08**

Hyundai America Technical Center, Inc. – Area Plan Amendment

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The Board of Superior Charter Township of Washtenaw County, Michigan, hereby ordains that Ordinance Number 174, being the Superior Charter Township Zoning Ordinance, adopted August 4, 2008, and effective August 14, 2008, as amended, be amended as follows:

SECTION I

Superior Charter Township Ordinance Number 174, designated Superior Charter Township Zoning Ordinance, adopted August 4, 2008 and effective August 14, 2008, as amended, and the zoning district map attached thereto and made a part thereof, are hereby amended by amending the Area Plan for Hyundai Area Technical Center, Inc. dated October 1, 2003 to the Area Plan dated January 27, 2012.

Parcel I (J-10-32-100-003):

ASSR REQ QCD L4621 P837 06/08/04 SU 32-1A PCL "I" COM AT NE COR OF SEC 32, TH S 87-03-35 W 60.00 FT TO A POB, TH S 02-12-36 E 2118.18 FT, TH S 87-03-35 W 1140.10 FT, TH N 02-12-36 W 2118.18 FT, TH N 87-03-35 E 1140.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 55.44 AC. SPLIT ON 06/09/2004 FROM J -10-32-100-001;

Parcel II (J-10-32-100-007):

OWNER REQUEST SU 32-1B-1A PCL " II-A " COM AT NE COR OF SEC 32, TH S 02-12-36 E 2178.18 FT TO A POB, TH CONT S 02-12-36 E 369.59 FT, TH S 87-33-10 W 1803.00 FT, TH S 02-12-36 E 108.00 FT, TH S 87-33-10 W 504.33 FT, TH N 02-00-37 W 2636.05 FT, TH N 87-03-35 E 1098.21 FT, TH S 02-12-36 E 2178.18 FT, TH N 87-03-35 E 1200.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 75.40 AC. SPLIT ON 03/06/2007 FROM J -10-32-100-005, J -10-32-100-006;

SECTION II

The Area Plan of Hyundai Area Technical Center, Inc. dated January 27, 2012 shall constitute the Approved Area Plan.

SECTION III

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8 of the Charter Township Act, being MCL 42.8, 3(b) within thirty (30) days following the final adoption thereof. This Ordinance shall become effective on the eighth day following said publication or such later date as is provided by law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AYES: McKinney, Phillips, Caviston, Lewis, Williams, McFarlane

NAYS: None

ABSENT: Green

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ABSTAINED: None

The motion carried.

11. PAYMENT OF BILLS

There were no bills for payment.

12. PLEAS AND PETITIONS

There were none.

13. ADJOURNMENT

It was moved by McKinney, supported by Caviston, that the meeting adjourn. The motion carried by a voice vote and the meeting adjourned at 5:25 p.m.

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor