



Rochester Hills

Minutes

Community Development & Viability Committee

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Ed Anzek, Bryan Barnett, Scott Cope, Frank Cosenza, Jim Duistermars, Kristina Hurst, Michael Kaszubski, Elise Pawlowski, James Rosen, Roger Rouse

Thursday, January 26, 2006

5:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Barnett called the CDV Committee meeting to order at 5:35 p.m.

ROLL CALL

Present: Bryan Barnett, Frank Cosenza and Michael Kaszubski

Absent: Jim Duistermars and James Rosen

Non-Voting Members Present: Ed Anzek, Scott Cope, Roger Rouse, Kristina Hurst

Non-Voting Members Absent: Elise Pawlowski

APPROVAL OF MINUTES

None Presented

COMMUNICATIONS

None Presented

UNFINISHED BUSINESS

2005-0300

Conservation Easements

Attachments: Standard 11 Conservation Easement Stewardship.pdf; Memo to CDV Conservation Easement 106(ver2).pdf; Memo Roger Conservation Easements.pdf; Info Packet Conservation Easements.pdf; Oakland Land Conservancy Proposal.pdf

Roger Rouse, Director of DPS, led the discussion regarding Conservation Easements noting the following:

** Currently the City does not have a formal policy to enforce Conservation Easements.*

** The big challenge is to justify how Sewer, Water, Roads or Drains is financially responsible for enforcing Conservation Easements.*

** Conservation Easements have been conveyed to a number of organizations, such as, MDEQ, Oakland Land Conservancy, Homeowner Associations who have not taken on the enforcement responsibility.*

** A suggestion was made to hire a summer intern to begin to inventory Conservation Easements.*

Types of Easements:

- * *Natural features to protect trees, shrubs and grass*
- * *Steep Slopes to protect river*
- * *Tree Preservation*

* *A suggestion was made to establish a Conservation Easement appeal process and appeal board noting the following criteria used to evaluate appeals:*

- * *Penalties for violating Conservation Easements.*
- * *Restoration of Conservation Easements.*
- * *Funding for maintenance activities*
- * *Identifying Boundaries of Conservation Easements*
- * *Begin public education program*
- * *Annual review of Conservation Easements*

Committee members discussed a Steep Slope conservation easement on the Clinton River which is being challenged by a homeowner who would like to remove some trees, place a walkway to the river and put in a swimming pool. When the City informed the resident that he cannot violate the conservation easement, the resident is now stating that the trees are causing a drainage problem and mold in his house.

Committee member inquired whether the City would or can demand restitution for violating preservation areas and further stated that violations underscore the need for a formal policy.

It was noted that under the Current Tree Conservation Ordinance, the fine is \$25 per inch and that the homeowner would readily pay that fine.

Chairperson Barnett recommended Conservation Easement be moved to a City Council Workshop due to the volume of questions and concerns.

Ed Anzek, Director of Planning Commission, suggested that discussion continue at the Planning Commission level to determine how these Conservation Easements began, the original intent of a Conservation Easement and also to obtain Planning Commission members thoughts on enforcing and preserving Conservation Easements.

Consensus of CDV Committee to have further discussion at the Planning Commission meeting on Tuesday, February 7, 2006.

Chairperson Barnett stated he will be present at the Planning Commission meeting and also reiterated the need to "fast track" this agenda item.

Mr. Rousse suggested inviting the Green Space Advisory Board members to the Planning Commission meeting.

Approved and Referred to the Planning/Development

NEW BUSINESS

2006-0008 Establish 2006 Community Development & Viability Committee Meeting Schedule

Attachments: CDV Schedule memo.pdf; 2006 calendar.pdf; Resolution.pdf

Consensus of Committee to set the 2006 CDV Committee meetings on the fourth Thursday of the Month at 5:30 p.m. with the exception of November and December with those meetings to be held on the third Thursday due to Holidays.

Approved

2006-0006 Election of Community Development & Viability Committee Chairperson for 2006

Attachments: Resolution Chair.pdf

Postponed

2006-0007 Election of Community Development & Viability Committee Vice Chairperson for 2006

Attachments: Resolution Vice Chair.pdf

Postponed

2006-0034 Single Hauler Solid Waste Program Reevaluation

Attachments: Agenda Summary.pdf; Supp Info - Citizen Cmnts - 032906 Work Sess.pdf; David Grossman Bio.pdf; 20030327 CDV Powerpoint presentation.pdf; 20040721 CC Powerpoint Presentation.pdf; 20040128 CC Powerpoint presentation.pdf; Citizens Flyer to Reject Single Haule

Chairperson Bryan Barnett explained to CDV Committee members that CDV would honor Barbara Holder's request for CDV to discuss the possibility of a Single Hauler Waste program for Rochester Hills. He further stated that until City Council is in full support of a Single Hauler Waste Program, CDV will not waste time with a lengthy discussion.

Discussed

YOUTH COMMENTS

Kristina Hurst, Youth Council, shared with the committee the 2006 Youth Council goals and projects, such as, Voter Registration and developing a Youth Center for teens.

Chairperson Barnett explained that he was the 2006 Youth Council Liaison and that the Youth Council is currently in the process of putting together an informative Youth Council video which has been approved by all three (3) principals to be viewed in the schools.

ANY OTHER BUSINESS

None Presented

NEXT MEETING DATE

Thursday, February 23, 2006, 5:30 p.m. Michigan time

ADJOURNMENT

There being no further business to discuss, Chairperson Barnett adjourned the meeting at 6:20 p.m.

Minutes prepared by Sue Busam