

**THE CHARTER TOWNSHIP OF CHESTERFIELD  
PLANNING COMMISSION  
June 25, 2013**

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, June 25, 2013 at 7:00 p.m. at the Township Hall located at 47275 Sugarbush, Chesterfield MI 48047.

**1. CALL TO ORDER:**

Chairman Miller called the meeting to order at 7:00 p.m.

**2. ROLL CALL:**

Present: Jerry Alexie  
Frank Eckenrode  
Rick LaBelle  
Carl Leonard  
Paul Miller  
Jim Moran  
Ray Saelens  
Joe Stabile  
Brian Scott DeMuyck

Others: Pat Meagher, Community Planning & Management  
Larry Dloski, Seibert and Dloski

**3. APPROVAL OF THE AGENDA:**

**Motion** by Mr. Miller, supported by Mr. DeMuyck to approve the agenda as submitted.

**All Ayes**                      **Motion Carried**

**4. SUBCOMMITTEE REPORT:** (Committee will report items under Reviews)

**5. PUBLIC HEARING:**

- A. TRIPLE R.D., LLC.-PROPOSED REZONING-PETITION #326: Triple R.D., LLC, 21600 Quinn Rd., Clinton Twp., MI 48035-Requesting to rezone property which is vacant which is located on the south side of 26 Mile Rd. and east of Bates from M-1 (Light Manufacturing) to M-2 (Heavy Industrial). P.H. Open, Tabled on 6/11/13.**

Charles T. Busse spoke on behalf of the applicant. He was joined by John Monte from Project Control Engineering.

Mr. Busse explained the composting process, which he said is natural and environmentally friendly and without use of fertilizers, phosphates and other chemicals. It begins with leaves and brush that are received by the compost facility and mixed with grass clippings, which have a nitrogen element. This combination causes the breaking down of natural elements to begin, he said. The piles are laid out consistent with the wind pattern to assist in the process, and then water is added as the elements

continue to break down over a nine-month season, typically April-November. The piles are eventually joined and maintained at a common height, depth and width before being screened as finished product.

Mr. Busse brought samples of grass as well as leaves and brush being composted in Macomb County. He said the final product is comparable to that commonly sold at home improvement stores. There is nothing more than natural grass, leaves and brush, Mr. Busse said.

Noting previous comments about odor in the composting process, Mr. Busse said the process used by the applicant of mixing the material in its own natural form minimizes the gross odor because odorous grass is mixed with non-odorous brush and leaves. Windrows are designed and built at an industry-standard height of 18 feet, which has been found to minimize surface exposure to the air, thereby reducing odor, he said. Additionally, Mr. Busse said that windrow heights can be adjusted during July and August to further minimize odors.

The applicant chose the parcel because it is located next to a railroad, which would allow access to a spur that would accommodate removal of the material on a regular basis, Mr. Busse noted.

Mr. Busse also addressed previous concerns about traffic control. Truck access to the site will be limited to 26 Mile Road and not Bates, and the use of the railroad will significantly reduce truck traffic, he said, noting the use is consistent with industrial neighbors in terms of moving product.

Mr. Busse stated that special attention has been given in the applicant's plan to ground water quality, with the inclusion of a retention pond that would prevent water runoff. No chemicals would be added to aid in the composition process, and water detained on site would either evaporate naturally or be used to water the piles, he said.

In Michigan, counties are called upon to develop their own waste removal, recycling and composting policies, said Mr. Busse, who noted that Macomb County has placed composting within the private sector.

The applicant is asking only for limited use of material storage, that part of M-2 zoning that allows for composting, and nothing else, he said.

Resident, Joe Iowski, addressed the commission and asked about the capacity of the retention pond, noting that it would have to be quite large to accommodate the 90-acre site. He also asked about the effect of nitrogen from grass clippings on ground water. Additionally, he said there may be a large amount of paper, bags and other debris mixed in with clippings received at the site.

Mr. DeMuyck read into the record a letter by resident Tricia Latour, who lives at 55761 Scheuer Road and was unable to attend the meeting. The letter stated, in part: "I am against the compost farm being put in at 26 and Bates. I do not want to be a prisoner in my home due to the smell that would come from here. There would be an increase of traffic to the area on the roads that are already not being maintained properly, and a decrease in my property value."

Dan Serra, a Township resident who also lives on Scheuer, said he was concerned about vehicle access off 26 Mile. He had to "jump through hoops" in order to get a variance for a pole barn years ago, he noted. He has lived here happily for 15 years but said he is worried that odor from the site will force him to stay indoors, and speculated whether the proposed composting operation could contaminate his well water.

Mr. Miller asked how much compost the site would hold, and if it would accept sod.

Mr. Monte said there will be approximately 160,000 cubic yards of compost and that sod would be accepted.

Mr. Miller asked if sod sprayed with grass-killer or other chemicals would be accepted.

Mr. Busse said the primary source of compost is grass, leaves and brush. He said there are elements of sod, but for the most part, it is healthy material and not contaminated. In general, the applicant will have a discussion with anyone delivering sod about the history of the material; trash is kept out of compost by a prescreening process, as is sod that contains heavy chemicals. Residential sod tends to contain less chemicals than industrial sod, Mr. Busse noted.

Mr. Miller asked if Triple R.D. will accept sod from commercial landscapers if it has been treated with chemicals such as Roundup.

In general, that material would be rejected, Mr. Busse said.

Mr. Alexie asked what is done with bags, wrappers, glass and other scrap.

Mr. Busse said the applicant has a relationship with municipal haulers to carry that material off-site.

Mr. Alexie asked whether any odor-masking agent is sprayed on the piles.

In response, Mr. Busse said the applicant has made a conscious decision not to use deodorizing chemicals in order to limit any environmental impact.

Mr. Alexie asked what would happen if the retention pond were to run out of water.

Mr. Busse said the retention pond is designed to always hold some amount of water, but in the event that it ran dry, water trucks drawing from natural water would be used to spray the piles.

Mr. Alexie asked what kind of equipment would be used and how much noise would it generate.

Mr. Busse said no more than six vehicles including backhoes and bulldozers would be necessary to move materials at the site which would be in operation from April to November.

Mr. Saelens asked what products would be received on the rail spur and if the applicant would draw from other communities, states or countries.

Mr. Busse said they will receive the same materials – leaves, grass and brush – that are sent out. The applicant has no desire to become a trash dump and will screen chemical-laden materials according to state and federal guidelines, he added.

In response to a question by Mr. Saelens, Mr. Busse said it takes about 16-18 months for materials to become a finished product.

Mr. Stabile said the presence of chemicals on grass clippings seemed to be downplayed in light of the fact that weed killers and fertilizers are in common use, and asked what percentage of clippings are rejected on those grounds.

Knowing which businesses have a reputation for selling chemical-laden materials is an important part

of the screening process, said Mr. Busse, adding that the applicant will go into the field to examine materials from those kinds of sellers. About 10 percent of the material that passes an initial screen is found to be unfit, he said. The company uses a gauge to test chemicals, but occasionally will hire a chemist to analyze samples, Mr. Busse said.

Mr. Stabile said Mr. Busse's comments suggest the applicant almost never rejects chemically-treated grass on site.

Mr. Busse said the applicant knows the industry standards for commercial compost, and that by the time material is tested by the buyer, it is pure.

Mr. DeMuynck noted that while the wide variety of chemical lawn treatments are intended to make their way into the soil, a portion invariably ends up in grass clippings. Mr. Busse said most lawn chemicals are not harmful, especially in the minute amounts left in clippings.

Asked by Mr. DeMuynck whether the retention pond will have a lining, Mr. Busse said the pond will be constructed precisely as the community requires, whether with clay or another material.

Mr. Stabile said his own experience in organic and chemical composting has taught him that the chemicals contained in grass clippings initiate the composting process. Grass contains many chemicals other than those which can be found naturally, he added.

Mr. LaBelle asked for the ratio of grass to brush used in the composting operation.

Mr. Busse said he did not know exactly but the industry utilizes a standard mixture to create a successful composition.

Mr. LaBelle asked what would be done to control rodents.

Mr. Busse said the pre-screening process significantly cuts down on the potential for rodents, as does the fact that the site is not a source of food. Field mice and other small animals are inevitable but there would not be more than at any other farm in the community, he said.

Mr. Dloski said the site plan suggests significantly more compost on the property than the 160,000 cubic yards stated. A conceptual site plan dated May 2, 2013 shows the typical windrow to be 20 feet wide by 15 feet high and approximately 600 feet long. The plan calls for 40 windrows in all, Mr. Dloski noted.

Mr. Monte said there was no intent to mislead the commission and that he would verify the numbers.

Mr. LaBelle asked what system would be used to get water to the retention pond without seeping into the soil or nearby wells.

The applicant will follow any engineering requirements the township imposes, according to Mr. Monte, who said his own inquiries lead him to conclude that if there was a retention basin release, it would not result in soil contamination, like runoff from a landfill. It is not unsafe material to discharge and the intent is to bring water to the retention basin for reuse on the piles, he said.

Mr. DeMuynck asked what type of gauge is used to test incoming materials for chemicals, and whether it will identify any chemicals found.

Mr. Busse said he did not know but would research the question and pass along his findings to the commission.

Mr. Moran asked Mr. Busse to clarify his statement that materials could be shipped in from other locations, including foreign countries.

Mr. Busse said the applicant has never taken materials from outside the U.S. and that there is enough product in Macomb County to supply the full site. He said, he could not definitively answer whether there would ever be product from a foreign nation.

Mr. Moran said that while residents of the area knew they were coming into an area with industrial manufacturing, they did not count on composting coming there. He asked whether the applicant would be willing to conduct a traffic study of the area and to build a natural barrier that would alleviate the unsightliness of a composting facility.

Mr. Busse said his clients would have a traffic study performed, if requested, and he would hope that the Township would require landscaping above a berm to give the operation the appearance of a farm.

Mr. Miller asked why the Macomb Township composting facility is no longer in operation.

Mr. Busse said he did not know the history of the Macomb Township site, but that there is a facility operating in Clinton Township.

In looking at the site plan, Mr. Leonard asked if it is safe to assume that the applicant is looking to rezone the entire parcel.

Mr. Busse stated that the applicant would be rezoning the entire parcel.

Mr. Leonard asked if the composting operation could expand and eventually take up the entire 100 acres.

Mr. Dloski stated that under the conditional rezoning it could be all composting.

Mr. Busse confirmed, but said that with the limits the applicant is asking the Planning Commission to place on the composting facility, there would be nothing different than what Triple R.D. is asking for tonight.

Mr. Leonard asked if the retention basin would take into account the whole 100 acres.

Mr. Busse said the retention basin would be just as the applicant was asked to do it, in their proposal, and under the ordinance.

**Motion** by Mr. Miller, supported by Mr. Stabile to close the Public Hearing on Triple R.D., LLC – Proposed Rezoning – Petition #326 at 8:04 p.m.

**All Ayes**                      **Motion Carried**

Mr. Miller explained that normal procedure is to wait until the next meeting, but that the board is going to take a poll to determine if commissioners want to vote tonight.

**Motion** by Mr. Miller, supported by Mr. Stabile for the planning commission to bypass normal

procedure and vote tonight on Triple R.D., LLC – Proposed Rezoning – Petition #326.

**Ayes:** Mr. Alexie, Mr. Eckenrode, Mr. LaBelle, Mr. Leonard, Mr. Miller, Mr. Moran, Mr. Saelens, Mr. Stabile, Mr. DeMuyck

**Nayes:** None

### **Motion Carried**

Mr. Miller said that he would like everyone on the Planning Commission and in the audience to know that the review from Community Planning and Management had been received.

**Motion** by Mr. LaBelle, supported by Mr. Stabile to deny the conditional rezoning of Triple R.D., LLC – Petition #326, south of 26 Mile Road and east of Bates, from M-1 (Light Manufacturing) to M-2 (Heavy Industrial).

**All Ayes**

**Motion Carried**

**B. Jeff Himanek-Proposed Special Land Use #2013-09: Jeff Himanek, 50126 Van Dyke Ave., Shelby Twp., MI 48317. Requesting a Special Land Use for proposed garage-boathouse-storage building at the property located at 48658 Harbor Drive. Public Hearing set on 5/28/13.**

**Motion** by Mr. Miller, supported by Mr. LaBelle to open the Public Hearing on Jeff Himanek – Proposed Special Land Use #2013-09 at 8:07 p.m.

**All Ayes**

**Motion Carried**

The applicant, Jeff Himanek, told the commission that he is attempting to get the front road setbacks so that he can build a garage - boathouse – storage building right on the property line. The structure would be used to store his boat, jet skis and other personal belongings, and would not be used as a residence or place of business, he said.

Mr. Himanek said that his house does not have a garage and explained that this structure would be a detached garage on the canal side. No height variance is being sought, he added.

The applicant confirmed for commissioners that a business would not operate out of this building.

Mr. Stabile asked what utilities would be installed.

The applicant said that aside from permitted electric, he would also like to have gas so that he could have a heater.

Mr. Leonard said he understands the request for gas and electric for a heat source, but that he would be opposed to plumbing.

Mr. Himanek said he lives across from the site in a 1,250-square-foot cottage built 50 years ago on a half-slab, half-crawlspace. He said the proposed structure would not be brick, but would match the outside aesthetics of the house.

Mr. Leonard said he likes that the garage would be enhanced with a false gable.

Mr. Leonard asked if the applicant would be parking vehicles in the structure.



**Motion** by Mr. DeMuynck, supported by Mr. Moran to table Site Plan #2013-10. This would be tabled for up to six meetings with the deadline being September 24, 2013.

**All Ayes****Motion Carried**

The applicant, Tom Kemp, explained his request to build a 60,000 square foot addition to the current welders and pressers building located on Luckino Drive. He said the majority of the building will be used as warehousing. Currently, there are not any stamping type presses, said Mr. Kemp. He described the operations as using a lot of automated welding with robots and smaller metal parts. Mr. Kemp said that large presses are not being used; therefore, there would not be any disturbance to the neighbors.

Mr. Kemp described the entire facility as a combination of block and decorative block. He said they would prefer not to go to brick because in their opinion, it would look odd and resemble more of an addition because of the existing block.

The business currently uses a trash compactor and the owners will adhere to whatever type of dumpster enclosure the Township would require, said Mr. Kemp.

Mr. Kemp said the landscaping plan was a late submission and he is not sure if it ended up in the commission's packet.

Commissioners said they had not received a landscape plan in their packets.

Mr. Kemp said that a pretty extensive amount of engineering has already been done on this site. He said they have been working with Gordie Wilson from Anderson, Eckstein and Westrick (AEW).

Mr. LaBelle said that the Township has a 90% brick or better ordinance and he would like to see something a little nicer than block and metal siding for the community. He noted this building will be seen from 21 Mile Road, I-94, and from the new development just west of their property.

Mr. Saelens agreed with Mr. LaBelle. He said this building's location is a gateway to the community and one of the first things seen from I-94. For this reason, the landscaping will be extremely important, too.

Mr. DeMuynck asked what material is on the existing building.

Commissioners confirmed that the existing building is painted square block.

Mr. Kemp said that many German companies want to get away from the brick and are actually requesting painted block.

Mr. Saelens said that brick never has to be painted and it will always look a lot better than the painted block.

Mr. Kemp is concerned that bricking the addition will make the structure look like a couple of buildings were attached together.

Mr. Meagher suggested the commission may want to consider allowing some matching of existing materials with some heavy landscape.

Mr. Saelens suggested the applicant provide a landscape plan so that commissioners can determine if the property is screened enough to consider the use of matching materials.



The applicant, Mike Boudos, described the fence as having brown colored slats, but the fence would be galvanized.

Mr. LaBelle asked if the applicant would consider a vinyl coated fence.

Mr. Boudos said if the commission wants a vinyl coated fence, he will comply.

Mr. Boudos explained that the restaurant back door is wide open to the parking lot and has been since the building was constructed. He said that the restaurant is getting more crowded, there is more traffic from walkers, and when garbage is taken out it sometimes blows into the parking lot. With the fenced area, the garbage will be more contained and the public will be hidden from the sight of employees from other businesses smoking outside, he added.

Mr. Boudos clarified that the fence will go up to the sidewalk, but the sidewalk itself will remain clear.

Additionally, Mr. Boudos said the gate will be locked with a panic bar to get out, confirming for commissioners that there is egress. He also stated that there are already cameras out there.

There will not be any boxes stored outside or blocking the building; they would just be placed in the fenced area temporarily and taken out at one time, said Mr. Boudos. He said that that the boxes will usually be removed within the hour and there would not be anything stored in that area overnight.

## 12. COMMENTS FROM THE FLOOR:

Mr. LaBelle asked about pre-planning volunteers for the next meeting. Both Mr. Alexie and Mr. Saelens agreed to participate.

Mr. Moran said he will be deployed to Afghanistan on January 17<sup>th</sup> and that he will keep commissioners posted as the date draws near.

Mr. Stabile sad he was sad to hear that Bob Kohler had passed away.

## 13. PROPOSALS FOR NEXT AGENDA:

## 14. ADJOURNMENT:

**Motion** by Mr. Miller, supported by Mr. DeMuyne to adjourn the meeting at 8:40 p.m.

**All Ayes**

**Motion Carried**

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Rick LaBelle, Secretary

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Amanda Willard, Recording Secretary