

**CHARTER TOWNSHIP OF CHESTERFIELD  
PLANNING COMMISSION**

**November 26, 2013**

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, November 26, 2013 at 7:00 P.M. at the Township Hall located at 47275 Sugarbush, Chesterfield MI 48047.

**1. CALL TO ORDER:**

Mr. Miller called the meeting to order at 7:00 P.M.

**2. ROLL CALL:**

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

Others: David Keown, Community Planning & Management

**3. APPROVAL OF THE AGENDA**

**Motion** by Mr. Miller to approve the agenda

**Supported** by Mr. Saelens

**Ayes: All**

**Nays: None**

**Motion Carried**

**4. SUB COMMITTEE REPORT** (Committee will report on items under Review)

**PUBLIC HEARING:** None

## 5. REVIEWS

**A. PROPOSED GARAGE ON A CANAL LOT – SLU #2013-16:** Mike & Mary Jane Mattera, 46860 Jans Drive, Chesterfield, MI 48047. Proposed new garage on a canal lot located across from above address. Public hearing closed & tabled on 11/12/13.

Mike Mattera, 46860 Jans Drive, Chesterfield, MI 48047 addressed the board.

Mr. Miller stated that they had some concerns about the water and the gas going into the building when it was stated that only electrical would be used.

Applicant mentioned that he had gone back and forth with engineering about this and their concern seems to be about the sanitary system in the structure and he stated that he agreed to disconnect it. He explained that he was trying to use the brand new boiler that came out of the existing home and use it to put heat in the floor of the garage. He stated that he has no heated storage, so he would like heat in the structure to store paint or anything like that. He commented that he did not think it would be a big issue and he stated that the Township's issue is that they do not want anyone moving into the building as a residence so he agreed to give them an affidavit stating that they would disconnect the sanitary system and it would not be reconnected as a deed restriction.

Mr. LaBelle stated that the applicant did not mention the water and that was also being requested. He realized that the boiler system would need some type of fluid maybe a glycol component with a reservoir, but why would he need water in the structure?

Applicant stated that he wanted to have water hooked up for the boiler system and to just run water with a hose to wash a boat on that side of the street so he would not have to run a hose from his home across the street. He mentioned that both neighbors on either side asked him to put grass around the new garage and he would like water there to be able to water the grass.

Mr. LaBelle mentioned that the applicant could install water sprinklers over there to take care of the grass.

Applicant agreed, however, he stated then he would have to put in a whole new pump system on that side because he already put in a sprinkler system on his side of the street. He thought it would be easier to put in a separate system over there right off the water.

Mr. Leonard commented that he lived in the house next door to the petitioners and he had the same issue with the building across the street that was an old cottage. Everything was disconnected and they never even had water. He stated that the structure had a sewer, a gas line and electrical. The only thing they ended up keeping was the electrical. He stated that for water he took some sprinkler line, put it under the road and used the water from the main house and that would be an alternative if there was a concern about the water. He mentioned that they had access to the water on the canal side, but it did not go into the building. He stated that an out side tap on the structure would be sufficient to water the grass and to wash a boat and the water just would not be on the inside. He mentioned then in the winter time the applicant would just blow out the water like the sprinkler system.

Mr. Saelens asked the Chairman if he had seen the report from A.E.W.?

Mr. Miller stated that he had seen the report.

Mr. Saelens read Item #3. "Since this is currently a residence, FEMA had a requirement that cumulative improvements to the building cannot exceed 50% of the building's value."

Applicant stated that he substantially reduced the plan down to four walls, a couple of garage doors and a cement floor. He mentioned that his cost on the project is about \$15,000 and he does not think that would be 50% of the value.

Mr. Leonard stated that #3 also mentions "since this is currently a residence" and the structure would no longer be a residence; it would be converted into a garage now.

Applicant stated that was correct.

Mr. Leonard stated that it would no longer be a residence, it would just be an accessory building now therefore, and he did not feel that would apply in this matter.

Mr. Keown agreed that he did not think it would apply either.

Mr. DeMuynck asked how many garage doors would be on the structure?

Applicant replied two garage doors and two entry door at the back,.

Mr. DeMuynck asked if the two garage doors were doubles or singles?

Applicant answered that they were double doors.

Mr. Miller stated that was a violation of the Township ordinance.

Mr. DeMuyneck stated that the applicant could not have two 16' doors.

Applicant mentioned that he could put three single doors on the structure and stated that no one told him about the doors before this.

Mr. DeMuyneck explained that when they change it to four-car garages the ordinance will state that there would have to be a minimum of a 90' wide lot and a minimum of ½ acre of property. Also, there would only be three car doors facing the street and one would have to face the side of the property. He stated that there was no way the applicant had that kind of room over there.

Applicant stated that he had the 100', but he did not have that much property. He mentioned that he could switch the garage doors and did not have a problem with that.

Mr. DeMuyneck stated that the applicant could put in a double door and a single door or three single garage doors, but he could not have two 16' doors. He asked the other commissioners if anyone had a problem with that.

There were no replies.

Applicant reiterated that was the first time any one mentioned the garage doors to him.

Mr. Saelens asked if the applicant would be willing to pull the water across the street and not in the building.

Applicant replied yes as long as he has the gas over there to run the boiler, he has no problem with that.

Mr. Miller asked the applicant if there was a water meter in there now?

Applicant replied that there was currently a gas and water meter in the structure and sanitary and electric, but it has all been disconnected.

Mr. Saelens asked if the applicant was going to tear the foundation out and put new ones in?

Applicant replied yes, he has to correct the foundations, because at one time someone decided to jimmy that back sea wall. He already has a permit for the sea wall and he plans to do all this work together. They bolted the sea wall to the existing foundation and it is pulling on it. He stated therefore it will take

some work to fix that back, put the rods in properly, so it does not pull on the structure.

Mr. Leonard commented that the people that owned the home were nice people, but very frugal.

Mr. Miller asked if the applicant was going to do the seawall and then the building?

Applicant reiterated that he planned to do everything together and he hopes to get everything done by the end of this year. He stated that the weather seems okay and they plan to attack it from the road side. They already have the permit for the sea wall and the contractor is ready to go as soon as he gets approval on the building.

Mr. Stabile asked what do they usually allow on canal lots, just electricity?

Mr. Saelens stated that if there is not water into the building, that he would support it.

Applicant stated that he could drop the water request.

Mr. Leonard stated that the applicant could go under the road and put the water on the outside of the structure and he would be ready to go.

Mr. Saelens that with the water outside, the applicant could wash his boat and do whatever he needs to do.

Mr. Leonard mentioned that there are no basements anywhere on that street so the heat source and having the additional space for storage really makes sense.

**Motion** by Mr. Saelens to approve SLU#2013-16 for the new garage on a canal lot located across from 46860 Jans Drive as proposed except that there would be no water in the building and the applicant would be allowed gas and electric in the building only.

Mr. Alexie asked about the garage doors.

Mr. Saelens stated that the applicant would only be allowed the equivalent of three garage doors.

Mr. DeMuyneck stated either a 16' door and an 8' door or three 8' doors.

Mr. Leonard stated that the applicant could even put three 9' doors.

**Supported** by Mr. Leonard

**Ayes: All**

**Nays: None**

**Motion Carried**

- B. SIGN REVIEW #2013-71:** Phillips Sign & Lighting, 40920 Executive Drive, Harrison Twp., MI 48045. Proposed new ground sign for Weiss' Meats & Deli located at 51094 D.W. Seaton and 23 Mile, in the Lakeview Shopping Center. Tabled 11-12-13.

Ed Phillips, 40920 Executive Drive, Harrison Twp., MI 48045 addressed the board.

Applicant gave hand-outs to the commissioners. He stated that the reason for the variance request is for Weiss' is lack of identification and public safety. Weiss' is trying to build up a loyal following that has been established essentially by word of mouth since they have no effective signage. He stated that if the board refers to the handout, they can see that the location of the Weiss' Market is 170' from the road. He explained that the store is only briefly visible from west bound 23 Mile and obviously visible from eastbound 23. He mentioned that the business is really growing but he reiterated that it is all word of mouth. They do a lot of off premise advertising in the form of newspaper, web and radio. He mentioned that on a daily basis they have to give directions to their store which is a challenge to find. He stated that the sign will better serve their new customers and inform existing customers of their upcoming events and specials with everybody arriving safely. As noted in the Chesterfield sign ordinance a mall must have 300' of frontage and as noted in the handout they have 661', and that is one of the stipulations in order to have two signs. He stated that the sign would be under the square footage and height allowed by the ordinance and they would be meeting 70' setback from the road; therefore the only variance would be for the second sign. Finally they have included a letter from the landlord stating that no other sign will be applied for from that shopping strip.

Mr. Miller stated that the applicant already has a Weiss' Market sign out there that is pretty noticeable when driving by.

Applicant did not agree and does not think it was noticeable unless someone is looking for it.

Mr. DeMuyne asked if the sign would be located on D.W. Seaton?

Mr. Leonard replied that the sign was going up on 23 Mile Road near the middle of the property.

Mr. Alexie verified that this was going to be an electronic sign that can be changed and flashes.

Applicant stated that the sign would not flash, but it changes.

Mr. Alexie asked if it would be like the sign at Rosie O'Grady's?

Applicant stated that it would be something similar.

Mr. DeMuyneck stated that it would be a reader board sign.

Mr. Leonard mentioned that the messages are supposed to change within a certain amount of time.

Mr. DeMuyneck commented that the one at Rosie's is violating a few ordinances.

Mr. Leonard stated that when the sign was put up everyone agreed to a certain amount of time between messaging and they are not complying and it is kind of irritating.

Applicant stated that they do not promote that kind of use of the sign for our customers.

Mr. Miller asked why it would make a difference for them to put their own sign out there instead of relying on the pillar sign that is already up.

Applicant replied that this sign would stand alone with Weiss Meats on the top, it will be eternally lit and it would not be part of the clutter of that other sign which is more of a collage.

Mr. Alexie asked if it would be a two-sided sign?

Applicant replied yes.

Mr. Alexie asked if it would be at 90 % on 23 Mile?

Applicant stated that it would be perpendicular on 23.

Mr. Alexie verified so it would be seen on both sides from 23 Mile?

Applicant replied yes.

Mr. Saelens asked if they would continue to have their sign on the center sign?

Applicant replied that was the plan but if it was an issue they would forego the other sign, if necessary.

Mr. Leonard commented that he had been on the fence with this petition for the last few weeks and he has driven by there a couple of times. He actually drove by it again that evening and he stated that one of the disadvantages was that most of the centers on 23 Mile Road, face 23 Mile Road. He stated so those businesses have the signage and signs at the front of their buildings. The disadvantage and practical difficulty would be if someone is driving west it is hard with 8 different names to locate the name of the business and they would be past the business before they even saw anything. He stated that he sees a practical difficulty with the way the center was designed. There just wasn't enough space to do it another way. He stated that Weiss' came in front of the ZBA to get permission to process deer at the location. He asked if they were still doing that?

Applicant replied yes.

Mr. Leonard stated that it was only set up for a certain amount of time and he has never heard anybody complain about that going on over there. He commented that it is important if something is allowed by a board that it does not come back and haunt them. His concern is that the business is not where it should be on 23 Mile Road and the visibility is minimal. He mentioned that there are six or seven stores in that complex that are empty now and maybe signage is an issue, he does not know. He stated that if the empty stores fill up he could see the signage even being more cluttered. So he has shifted over to the other side of the fence and he thinks there is a practical difficulty with this and he does not think there are many shopping strips like this in Chesterfield. Therefore, he is leaning in favor of allowing this and it would be a one time deal from what the landlord stated on the matter.

Mr. Miller asked Mr. Keown what the sign ordinance stated about that particular piece of property? He asked how many signs could go on that property?

Mr. Keown explained that the applicant has less than 300' on 23 Mile and 400' on the other street which is not a thoroughfare so he would be able to have a second sign there. He mentioned that they looked at the combination of it and when he talked to Mr. Meagher on the matter he stated that they would consider that comparable.

Mr. Leonard asked if the sign would have to go on the secondary street or could they allow the sign to go on 23 Mile Road?

Mr. Keown stated that looking at the combined 252' and the 400' and when he spoke to Mr. Meagher they both felt it gave them the equivalency to allow the second sign on 23 Mile.

Mr. Leonard asked with the combined footage, would a petitioner ever be allowed to have six signs?

Mr. Keown mentioned that the ordinance stated that there was a maximum of two sign allowed for a property.

Mr. LaBelle commented that if they allow the applicant to put up a second sign what would stop another tenant from requesting another sign. He stated that the landlord promised that no one else would be allowed to put up a second sign, but what would stop another business in another plaza on 23 Mile from requesting a second sign.

Applicant stated that they did the sign for Hamlin Pub and there haven't been anymore requests for second signs.

Mr. LaBelle commented that actually it comes up quite often.

Mr. Leonard stated that he thought they actually had the frontage that allowed them the second sign.

Applicant agreed that they did.

Mr. Leonard stated that he did not see many other stores in these types of strips that are going to come at us. These stores are all facing the side street.

Mr. LaBelle brought up the Home Depot parking lot and all the stores up inside of that. He mentioned the pet hospital down the street.

Mr. Leonard stated that this business has two street frontages where with Home Depot those businesses are facing a driveway.

Applicant stated that if they did not have the 400' on D.W. Seaton, they would not even be there and applying for a second sign. That sets them apart, because they are counting that as frontage and they are only 48' short of what they would need for the front.

Mr. LaBelle stated if the applicant is including the D.W. Seaton frontage, then why wasn't the sign going up on D.W. Seaton.

Applicant stated obviously D.W. Seaton is frontage, however, it is not the thoroughfare and there is not enough traffic on that road.

Mr. DeMuyneck commented that D.W. Seaton would be considered more of a collector road than a main road.

Mr. Saelens explained that if they remember the history of the site there was a monster sign over there and now that they got the sign to the proper scale and now they are going to add another one. He stated that he could not support it and he does not want to see another sign there.

Mr. Miller stated that if he remembered correctly, the sign that is now on the property is already oversized.

Applicant stated that he thought the sign was a foot and a half lower than they have to be. He mentioned that they were allowed 8' and this sign is at 6.5'. He stated that the sign was allowed to be 64 square feet and the sign is only 40'. The sign was mandated to be 70' off the center line and they are at 70'. He stated that they meet the criteria everywhere.

**Motion** by Mr. LaBelle to deny the request for the additional sign on 23 Mile Road for Weiss' Meats.

**Supported** by Mr. Saelens

Recording secretary polled the Commissioners for their votes.

**Ayes: LaBelle, Saelens, Miller and Eckenrode**

**Nays: DeMuyneck, Leonard, Stabile, Moran and Alexie      Motion Failed**

**Motion** by Mr. DeMuyneck to approve the request for the additional sign for Weiss' Meats on 23 Mile Road.

**Supported** by Mr. Alexie

Recording secretary polled the Commissioners for their votes.

**Ayes: DeMuyneck, Alexie, Leonard, Stabile, and Moran**

**Nays: Eckenrode, Saelens, Miller, and LaBelle      Motion Carried**

- C. **SIGN REVIEW #2013-72:** The Tax Geeks, L.L.C., 46574 Gratiot, Chesterfield, MI 48051. Proposed new wall sign located at the above address for the above business in the Fairview Plaza Tabled 11-12-13

Mr. LaBelle stated that the applicant has agreed that the sign as submitted is oversized and they have agreed to reduce the size of the sign down to 20 square feet.

**Motion** by Mr. LaBelle to approve Sign # 2013-72

**Supported** by Mr. Moran

**Ayes: All**

**Nays: None**

**Motion Carried**

- D. **SIGN REVIEW #2013-73:** MD Lighting Service, 3626 Harrison Ave., Rochester Hills, MI 48307. Proposed new ground sign for Battaglia Plaza located north of 22 on the east side of Gratiot at 49532 Gratiot. Tabled on 11-12-13.

Mr. LaBelle stated that there were questions about the height of the sign and the clearance from the ground. The applicant was there with a clearer drawing and the sign does meet the Township ordinance. It is 4' or less from the ground and 12' high and the only other comment was that the sign would include the addresses. The applicant has agreed that they would include the addresses on the sign so based on those contingencies.

**Motion** by Mr. LaBelle to approve Sign # 2013-73

**Supported** by Mr. Miller

**Ayes: All**

**Nays: None**

**Motion Carried**

6. **APPROVAL OF MINUTES FROM PRIOR MEETING:**

**Motion** by Mr. Miller to approve the meeting minutes from November 12, 2013

**Supported** by Mr. Saelens

**Ayes: All**

**Nays: None**

**Motion Carried**

**7. COMMUNICATIONS:**

There were no communications.

**8. NEW BUSINESS:**

**A. Review 4 car garage ordinance Sec. 76.331**

**B. Review ordinance concerning second signs at the rear of a building.**

**Motion** by Mr. Miller to Table items A. and B. under New Business to the next scheduled meeting on 12-10-13 when Mr. Meagher will be in attendance.

**Supported** by Mr. LaBelle

**Ayes: All**

**Nays: None**

**Motion Carried**

**9. OLD BUSINESS:**

There was no old business.

**10. PLANNERS COMMENTS:**

Mr. Keown stated that he had nothing to report except for the fact that Mr. Meagher apologized for not being in attendance at the meeting because he had another commitment.

**A. ADMINISTRATION REQUEST #105: Joe & Josie, LLC/ 23 Mile Plaza, 11429 Racine, Warren, MI 48093. Joe Messina, minor changes to the façade of the plaza located at 31171 23 Mile Road.**

Joel Messina, 931 Whitegate Drive, #105, Northville, MI 48067 addressed the board.

Applicant stated that he wanted to change the asphalt shingles presently on the façade of the plaza with a standing seam sheet metal roof.

Mr. Miller asked if that was just going to be on the one building?

Applicant replied that it would be on the full length, but he only owns the one building.

Mr. Eckenrode stated that it only has the one address and that does not include the addresses of the whole plaza.

Applicant verified that the board was not sure of what the beginning and end would be.

Mr. Eckenrode stated yes, the commission only had the address of the far left one.

Applicant stated that they use that as the mailing address.

Mr. Eckenrode asked if the applicant planned to do the work on the whole plaza.

Applicant answered yes and explained that he planned only to replace the asphalt shingles on the whole plaza and with the standing seam sheet metal roof.

Mr. Eckenrode asked so the vinyl and wood already there would not change?

Applicant replied correct.

**Motion** by Mr. Miller to approve Administrative Request #105.

**Supported** by Mr. DeMuyneck

**Ayes: All**

**Nays: None**

**Motion Carried**

**B. ADMINISTRATIVE REQUEST#106: Designhaus/Justin Roberts, 301 Walnut Blvd., Rochester, MI 48307. Request to make alterations to the building that will benefit and add appeal to the facility, National Storage Centers, located at 31755 23 Mile Road.**

Justin Roberts, 301 Walnut Blvd., Rochester, MI 48307 addressed the board.

Mr. LaBelle asked the applicant to explain what was going on with the alterations. He stated that it appeared that they were changing the front of the building and putting up a parapet up on top of there with a porch cover on top going into the facility.

Applicant stated that he was planning a recladding of the exterior of the office portion of the building. He explained that the purpose of the recladding was to set the office apart from the residence that is required by code, but also to give the office a more commercial look. He stated that the metal panels and Hardie Board are easy to maintain and the roof extension that was mentioned is a canopy that is over the top of the landing where people enter the building. It will have an integrated gutter system that will take water down to the lawn.

Mr. Saelens asked so the cladding will consist of Hardie Board?

Applicant replied that the cladding will consist mainly of corrugated metal painted to the company standard which would be red, white and blue and also Hardie Board.

Mr. Saelens asked where the Hardie Board would go?

Applicant stated that it would be the blue tower piece is just framing wrapped in Hardie Board. It would not necessarily be Hardie Board; but a similar cement board.

Mr. Saelens asked what would be next to the blue panel, more Hardie Board?

Mr. Miller asked if it was a window?

Applicant replied that would be an inset with more gray Hardie Board making it appear to be a window. He stated because of the merchandising scheme inside they could not actually put a window. It is just there to offset the look of the façade of the facility.

Mr. Saelens asked if the red would be the metal?

Applicant stated that the red and the gray would be metal horizontally and vertically.

Mr. Saelens asked if the metal would be galvanized and painted?

Applicant replied yes the metal it will all be galvanized and painted.

Mr. Saelens mentioned that if it was just going to be steel after a couple of years it would all rust and look bad. He asked if the metal would be prefinished?

Applicant stated that it would all be prefinished.

Mr. Miller asked what would happen to the sign?

Applicant answered that the sign would remain. He stated that they were not touching anything else on the site; it would just be the reclad.

Mr. Saelens asked if Mr. Miller was talking about the sign on the building?

Mr. Miller replied yes, he was speaking of the sign on the building.

Applicant stated that the sign on the building would be coming down.

Mr. Leonard asked if the applicant was changing the footprint of the building.

Applicant replied no.

Mr. Leonard mentioned that the proposed façade at the left near the blue tower, it almost looks as though they are adding on to the side or is that because it is on an angle.

Applicant replied yes and the roof parapet varies too and it is just the design scheme and one is a little higher than the other.

Mr. Leonard asked if they were doing the roof parapet on both structures and they would just be different aesthetically because the one next to it looks taller than the existing one anyway. He asked if once they tear off the trusses would they be extending the front anyway for the parapet?

He stated that they were not tearing out the trusses the parapet wall just extends.

Mr. Leonard asked if they would just be leaving the roof on there and just building this around it?

Applicant replied yes.

Mr. Saelens stated that it listed the improvements inside the structure as new carpet and countertop.

Applicant mentioned that there is a corporate standard for carpet now and they would be installing the new carpet as well as the new countertop.

Mr. Saelens asked if any walls would be moved or added in the interior?

Applicant answered no.

Mr. LaBelle stated that they are always talking about brick or better and he wanted to know if this constituted enough of a renovation to require brick or better.

Mr. Keown stated that in talking with Mr. Meagher, he did not think so because it was an improvement to an existing building and the elevations were not being changed significantly.

Mr. Alexie asked why was this item in front of their board, why didn't they just go to the Building Department and get a permit?

Mr. Stabile stated that it was an administrative request and would have to be approved.

Mr. Keown stated that there was enough of a change to require the applicant to go to the Planning Commission for approval.

**Motion** by Mr. Miller to approve Administrative Request # 2013-106 for Designhaus, Justin Roberts, 301 Walnut Blvd., Rochester, MI 48307. Request to make alterations to the building that will benefit and add appeal to the facility, National Storage Centers, located at 31755 23 Mile Road.

**Supported** by Mr. LaBelle

**Ayes: All**

**Nays: None**

**Motion Carried**

**12. COMMENTS FROM THAT FLOOR PERMITTED BY THE COMMISSION ON AGENDA OR NON-AGENDA MATTERS.**

Mr. Moran stated that he would not be at the December 10<sup>th</sup> meeting because he would be serving his country in England for two weeks.

Mr. LaBelle asked for volunteers to attend the next preplanning meeting.

Mr. Saelens and Mr. Alexie both volunteered to attend the next preplanning meeting.

**13. PROPOSAL FOR THE NEXT AGENDA:**

There were no proposals for the next agenda.

**14. ADJOURNMENT:**

**Motion** by Mr. Miller to adjourn at 7:46 PM.

**Supported** by Mr. DeMuyneck

**Ayes: All**

**Nays: None**

**Motion Carried**

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*Rick LaBelle, Secretary*

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*Grace Mastronardi, Recording Secretary*