

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

January 14, 2014

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, January 14, 2014 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
Jerry Alexie
Frank Eckenrode
James Moran

Absent: Ray Saelens, *excused*

Others: Patrick Meagher, Community Planning & Management
John Palin, Community Planning & Management

3. APPROVAL OF THE AGENDA

Motion by Mr. Miller to approve the agenda

Supported by Mr. DeMuynck

Ayes: All

Nays: None

Motion Carried

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

5. REVIEWS:

- A. **SIGN REVIEW #2014-01:** John Bowen for Dockside Auto Wash, proposed ground sign resurface located at 47391 Jefferson.

Mr. LaBelle stated that the sign does meet the criteria of the Township. He brought it up to the applicant that the sign does exceed the 12' ordinance that is going to come into effect in 2016 and the applicant signed the affidavit stating that he knew about it.

Motion by Mr. LaBelle to approve Sign # 2014-01

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- B. **SIGN REVIEW #2014-02:** Sign Emporium, 4577 S. Lapeer Road, Suite A, Orion Twp., MI 48359. Proposed new wall sign for Chris' Transmission located at 28145 Kehrig Drive.

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2014-02

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

- C. **SIGN REVIEW #2014-03:** Reliable Sign, 49660 Leona Drive, Chesterfield, MI 48051. Proposed new wall sign for Bayside Family Medicine located at 31225 23 Mile Road.

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2014-03

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- D. **SIGN REVIEW #2014-04:** Reliable Sign, 49660 Leona Drive, Chesterfield, MI 48051. Proposed new wall sign for Nail Design located at 31235 23 Mile Road.

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2014-04

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- E. **SIGN REVIEW #2014-05:** MLS Signs, Inc., 25733 D'Hond't Court, Chesterfield, MI 48051. Proposed new wall sign for H & R Block located in the Kroger's plaza at 34732 23 Mile Road.

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2014-05

Supported by Mr. DeMuyck

Ayes: All

Nays: None

Motion Carried

- F. **SIGN REVIEW #2014-06:** MLS Signs, Inc., 25733 D'Hondt Court, Chesterfield, MI 48051. Tenant panel pylon resurface with add of H & R Block in the Kroger Plaza located at 34732 23 Mile Road.

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2014-06

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

- G. SIGN REVIEW #2014-07:** Copycat Signs, 914 Gratiot, Marysville, MI 48040. Proposed resurface (name change) to existing ground sign "Prospect Baseball Training Center" 30860 Sierra Drive.

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2014-07

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

6. PUBLIC HEARING:

- A. Plymouth Village Condo Development PUD #2013-19:** Empire Homes, L.L.C., Filippo Leone Jr., 49212 Van Dyke Avenue Shelby Twp., MI 48317. Requesting approval to modify the approved attached condo layout to proposed detached condos located in the Plymouth Village Development, located on the north side of Hickey Road, east side of Gratiot. Public Hearing set on 12-10-13.

Filippo Leone Jr., 49212 Van Dyke Avenue Shelby Twp., MI addressed the board.

Applicant stated that he was requesting to table it because right now it is a condominium layout with attached units and they plan to turn it into detached units. It would be mainly ranch units with some lofts and there would be a clubhouse in the complex. He explained that it would be a great place for retired people and people who have time to lie around the pool and enjoy the clubhouse. They feel the new plan would be a winner for the Township and also for the association because there has been no activity at the site for about ten years now. He mentioned at this time, they are working on some by-law issues but hopefully, they will be ready for the next meeting in two weeks or a month.

Mr. Miller stated that the next meeting is in two weeks but the deadline...

Applicant stated that at this point they would probably be ready in a month.

Motion by Mr. Miller to open the Public Hearing for PUD # 2013-19.

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

Mr. LaBelle asked what size condo's the applicant planned to build?

Applicant replied that the condos would roughly be 1400 to 1600 square feet on the ranch models and they might go up to 2000 square feet for colonials or splits. However, they do not see themselves doing too many of those. It will be affordable housing in a price range of \$190,000 to \$220,000 or so.

Mr. Stabile asked how many units did they plan for the development?

Applicant answered that they planned to build about 70 units detached and roughly 20 units attached for a total of about 90 to 95 units.

Tim Scramlin, 29679 Hickey Road, addressed the board.

Mr. Scramlin stated that the paperwork shows this 27' section that they own which is a wooded lot and a swamp across from a new condo. So they would be completely right across from the driveway for the other condo unit.

Applicant replied that the section Mr. Scramlin was referring to was an existing drive.

Mr. Scramlin verified so this is over to the side and it is not coming down thru here.

Applicant replied no this is the complex and they are not doing anything in that area.

David Averett, President of Plymouth Village Condo Association addressed the board.

Mr. Averett stated that he was the President of the Plymouth Village Condo Association. He explained that they have been in talks about this issue with the applicants. They had thought that this was to be tabled because they have to work out some legal issues and at this time there is a must build plan and the attorneys feel they have to work around that.

Albert Bago addressed the board.

Ms. Bago mentioned that he lives in Plymouth Village North and she would like to know if the association is going to be connected with Plymouth Village.

Mr. Meagher replied that they are anticipating that it will however, until they have the final PUD and final condominium documents they cannot comment on that. That is one of the requests that was submitted to the developer and until that information is received they do not know. He mentioned that the odds are the meeting is going to be tabled.

Ms. Bago stated that she was a real estate agent and she came across a problem selling in Plymouth Village because the phase was not finished and right before closing the mortgage wouldn't warrant, so the buyer had to come with cash otherwise she could not sell the condo. She explained that in Plymouth Village there are only 16 units and the phase is supposed to be 42. So her concern would be trying to mortgage any of those 16 if they do not combine or finish a phase.

Lisa Bromkinski, 54400 Gratiot, Chesterfield, MI addressed the board.

Ms. Bromkinski stated that with the previous owners they had an agreement with how they were going to separate the properties with a wall or a tree line. She just wanted to know what was happening with that.

Mr. Miller stated that would be answered when they have the final site plans.

Janice A. Sobania, 30080 Arlington, Chesterfield, MI addressed the board.

Ms. Sobania asked if the applicant's development would finish that Plymouth Village phase or will there be vacant lots and would they have to wait for another developer?

Applicant replied that hopefully they will complete the whole thing.

Barbara Scott, 30006 Camden Cr., Chesterfield, MI addressed the board.

Ms. Scott asked how long would this be tabled?

Applicant stated that they would like to get on the agenda for the next meeting.

Ms. Scott stated that she had meant to ask how long before the applicant would start the actual building?

Applicant answered that they had to do some engineering and legal issues but they would like to get started on the project some time in June.

Ms. Scott asked if the residents would see the plans for the homes so they will know what their neighbor's houses would look like and the color schemes.

Mr. Miller thought that would be up to what the people would like to buy. In other words, it would be like any other subdivision, the people purchasing the home would make the decision on what they would like to be built on their property.

Applicant informed them that he had two models at this time. There would probably be a few different ranches, maybe a colonial although he doesn't anticipate building too many of those.

Ms. Scott just wondered if the builder would bring something in that they could look at.

Applicant mentioned that in general they would be using pretty neutral colors.

Mr. Meagher explained that as they progress through the PUD process, this type of data the home styles and so forth would be attached with the PUD and will be part of the requirement for what is built over there.

Maria Ware, 29977 Camden Circle, Chesterfield addressed the board.

Ms. Ware asked if they would have a chance to look at the plans before they come to the next meeting.

Mr. Miller stated that if the applicant is tabled it would be for up to six meetings so she should check with the Planning Department.

Mr. Stabile asked if the meeting would have to be date specific?

Mr. Meagher explained that if they leave the public hearing open they would have to table it date specific. However, if they close the public hearing tonight, they could proceed to table for any period of time.

Mr. Stabile stated that he did not see how they could close it without a site plan.

Mr. Meagher mentioned that it was up to the board if they think that there is additional information that needs to be given to the commission.

Mr. Miller stated that if they keep the public hearing open she would probably get a notice in the mail.

Mr. Averett stated that as far as the plans the applicant has assured the Association board that they would get them copies of the plans as soon as possible and then they will call a meeting of their residents and at that time they will hand out everything provided by the builder.

Applicant stated that the commission could leave the public hearing open, but he believes that the board has a site plan and wouldn't that be sufficient because it shows the division of the lots.

Mr. Meagher replied that it sounds like what the Commission wants to see would be architectural, landscaping.

Applicant stated that he did not know that landscaping was part of the plan. He thought that would come later and he did not think that would be part of it.

Mr. Miller stated that all they have on the site plan is the lots and not the actual houses.

Applicant stated that he did not know it was necessary to show the houses and the landscaping on there. He mentioned that they are working very closely with the Association and they are setting up a board where they are going to review the plans themselves; not each individual home. He is not sure if he would need to bring the Commission the plans.

Mr. Miller stated that the Commission would like to see the plans.

Applicant mentioned that the Association has their own review board and it could include Phase II and he just wants everyone to be happy with what is going in the development.

Mr. Stabile stated that the applicant can meet with the Association and even if they approve the plans, they may be missing something that is pertinent to the Commission and they are the ones ultimately who need to be satisfied with the plans.

Applicant commented that he did not know if it was necessary to keep the public hearing open and send out paperwork to everyone since they are fully cooperating with the Association.

Mr. Meagher stated that there would not be anything mailed out because the people who are present at the meeting tonight were notified of the public hearing and the Planning Commission has to table it to a date specific meeting if they hold the public hearing open. Therefore, he stated it would not be republished and there would not be any notices sent out to the public.

Mr. LaBelle stated that he would like to see a landscaping plan because there was a question of a retaining wall behind one person's property. He wanted to know what the applicant would be doing there?

Applicant replied that they would not be doing anything there. He added that the subdivision was approved and he does not think there is any need to build a wall.

Mr. LaBelle commented that he did not know if there was a need to build a wall, but that was a question by one lady that evening.

Applicant stated that he would not have a clue on where to put the landscaping unless they specifically put a foot print of the home.

Mr. Miller asked if they would be putting down the sod?

Applicant replied everything would be sprinkled and sod and there would be some type of landscaping but there is no landscape plan to provide.

Mr. Stabile asked if they would be putting one or two trees by each house?

Applicant stated that they would do typical landscaping with a couple of bushes and a few trees.

Mr. Miller stated that the Commission would like to see a landscape plan for each unit the applicant plans to build.

Applicant agreed, but he asked if it would be separate from the site plan that they have.

Mr. Miller replied yes.

Mr. Stabile stated that he would like to see some generalities on the types of trees they planned to plant.

Applicant stated because they are small lots, the thought one tree in front of every condominium would be sufficient.

Mr. Stabile replied that the Commission's landscape requirements have gotten quite a bit higher recently because of the problems of certain species of trees dying; so they would require a certain mix of trees.

Applicant stated that he would get a copy of that from the Township.

Dan Ross, 30114 Prospect, Chesterfield addressed the board.

Mr. Ross stated that he was on the board of Plymouth Village North and he wanted to know if both of those Associations would have to be combined.

Mr. Meagher replied not Plymouth Village North, just the Association of the condos that are currently built and the remainder in that area.

Mr. Ross stated so Plymouth Village North would not be part of their Association; they would still be independent.

Mr. Meagher replied yes.

Mr. Ross asked since they are so close, could they be part of the approval process?

Applicant replied that he did not care, but he thought that would have to be the call of the Association.

Mr. Miller responded that was something that could be addressed with them after the meeting.

Mr. Stabile stated that it seemed like people thought the condos would be attached and that is not the case.

Mr. Miller asked the Commissioners if they want to table it up to six meetings?

Mr. DeMuyne asked or do they want to table it date specific and keep the public hearing open.

Mr. Stabile asked the applicant how long he thought it would take for him to submit all the requested paperwork.

Applicant stated that he thought he should have everything ironed out by the first part of next week and they would like to get this going as soon as possible.

Mr. Miller asked if they tabled it date specific to April would that be far ahead?

Applicant replied yes and they were hoping for February if possible.

Mr. Meagher suggested the February 25th meeting and that would give the applicant a full month.

Applicant replied that would be perfect.

Mr. DeMuyne remarked so February 25th date specific.

Mr. Leonard asked when the applicant would need to turn in the paperwork?

Mr. DeMuyneck replied it would have to be turned in by February 13th.

Applicant verified that he would need a couple of site plans, landscape plans, architecture, and the agreement with the homeowner's Association.

Mr. Averett explained that the biggest thing goes back to the legal and the must build plan and their attorney felt that what he wants to do does not go by the must build plan and certain lots are in Plymouth Village that are not built on and those lots fall under the must build plan. He is not sure if the builder had the right or the Association had the right to change that and they might have to go through Circuit Court to get the approval to change it. The Association attorney's and the applicant's attorneys are both working on that; to see what they can do to make it happen.

Mr. Miller stated that it is good they are working together.

Mr. Averett stated they just had to make sure what they do is right and it will be a win/win situation so nobody can come back and say they did it wrong.

Motion by Mr. LaBelle to leave the public hearing open and Table it to February 25, 2014

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Motion by Mr. Miller to approve the meeting minutes from December 10, 2013

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

8. COMMUNICATIONS:

There were no communications.

9. **OLD BUSINESS: Wintergarden Tavern Ground Sign #2009-08:** Proposed revision to previously approved ground sign, approved on 5/26/2009 (elevation only) located at 46777 Gratiot.

Mr. LaBelle stated that he was under the impression that it was just going to be an illuminated back-lit sign and he was mistaken. He explained that they were actually requesting an electronic sign with moving letters and things of that nature. He wanted to make sure that the board was aware of that.

Mr. DeMuynck verified so the sign would be a reader board.

Mr. LaBelle responded yes it is a reader board and it does meet the Township criteria and there should not be any issues. The sign is also under the height limit.

Motion by Mr. LaBelle to approve Sign # 2009-08

Supported by Mr. Miller

Mr. Meagher suggested that the motion include that the sign be held to all the Township's reader board standards, which goes without saying, but it keeps the owners on alert that they need to monitor the use of that.

Mr. LaBelle accepted the addition to the motion.

Mr. Miller continued support.

Ayes: All

Nays: None

Motion Carried

10. **NEW BUSINESS**

There was no new business.

11. **PLANNERS REPORT:**

Mr. Miller asked if all of the board members had met Mr. Palin from Community Planning who is an associate of Mr. Meagher.

Mr. Palin thanked the board for welcoming him and stated that he looks forward to working with the board in the future.

- A. ADMINISTRATIVE REQUEST #108:** Brentwood Limousine, 50695 Chesterfield Road, Chesterfield, MI 48105. Revision to request. Tabled 12/10/13.

Mr. Palin stated for Administrative Request # 108, Brentwood Limousine, the applicant has met all the requests from the prior meeting and meets all the requirements of the ordinance and they have no objections.

Motion by Mr. Moran to approve Administrative Request # 108.

Supported by Miller

Ayes: All

Nays: None

Motion Carried

Mark Guthrie, 50695 Chesterfield Road, owner of Brentwood Limousine addressed the board.

Mr. Guthrie thanked the Commission for the review and approving the request. He stated that this will allow Brentwood Limousine to grow in Chesterfield Township.

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

Mr. Moran stated that it was his last day as he ventures to Afghanistan.

Mr. DeMuyneck asked Mr. Moran how long he would be gone?

Mr. Moran stated that he would return on the third of September.

All the commissioners wished him good luck and stated that they would miss him.

Mr. LaBelle asked for volunteers for the next preplanning meeting on January 28th.

Mr. Leonard stated that he would attend the preplanning meeting.

Mr. Stabile also agreed to attend the meeting.

13. PROPOSALS FOR NEXT AGENDA.

Mr. Miller stated that there may be a problem with April 22nd meeting because 4 or possibly 5 people stated that and they would not be able to attend. He asked if everyone could check their calendars so they can make sure they will have a quorum, otherwise they may want to cancel that meeting.

14. ADJOURNMENT

Motion by Mr. Miller to adjourn at 7:43 PM

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary