

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

June 10, 2014

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, June 10, 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
Rick LaBelle
Brian Scott DeMuynck
Carl Leonard
Ray Saelens
Jerry Alexie
Frank Eckenrode

Absent: James Moran, *excused*
Joe Stabile, *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. Alexie

Ayes: All

Nays: None

Motion Carried

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

5. PUBLIC HEARINGS:

- A. SLU #2014-10:** Security Vault Works, Inc., 1777 Expo Lane, Indianapolis, IN 46214. Bank of America remote (stand alone) drive up ATM Kiosk located at 47025 Gratiot in the CVS retail center location. Set Public Hearing for 7-8-14.

Motion by Mr. LaBelle to set the Public Hearing for July 8, 2014.

Supported by Mr. Miller

Ayes: All

Nays: None

- B. SLU #2014-11:** Joe Gallagher of the Sports Academy, 30845 23 Mile Road, Chesterfield, MI 48047. Proposed outdoor soccer field located just outside his facility. Set Public Hearing for July 8, 2014.

Motion by Mr. LaBelle to set the Public Hearing for July 8, 2014.

Supported by Mr. Saelens

Ayes: All

Nays: None

6. REVIEWS:

- A. SLU # 2014-05:** SBA & JR Crane, 1126 N. Main, Rochester, MI 48307. Proposed new communications tower located at the MDOT Weight Station on I-94. Public Hearing was set on 5/13/14.

John Crane, 1126 N. Main, Rochester, MI addressed the board.

Applicant stated that he and SBA were requesting to put a new communications tower for AT&T in Chesterfield. The tower will be a monopole type structure and would be located in the public right-of-way on west bound I-94. The pole would be within the truck weigh station and adjacent to the Department of Natural Resources protected land to the west and would not adversely impact traffic on the expressway. The unmanned structure requires

minimum service and is adequately served by on-site electric and telephone land lines. The monopole is safe and will not emit or create any noise, nuisances, fumes or other adverse land use impacts. The site generates no waste and is visited once or twice a month by a service vehicle. There are no adverse impacts from the layout or height which was reduced to 175 feet.

Motion by Mr. Miller to open the Public Hearing for SLU #2014-05

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

Mr. LaBelle asked if the reason for the additional antenna is a gap in service?

Applicant replied that it was not for a gap in service, however, there is tremendous demand with all the new technology and an additional cell site would add capacity. He explained that the new monopole would provide additional wireless capacity to residents and people traveling within the Township. The increase in services includes voice telecommunications, data, location and photographic transmissions.

Mr. DeMuynck commented that he wondered why when there is already a tower at 23 Mile & I-94 by Meldrum's would they need another tower only a mile away?

Applicant stated that with the conversion from digital to analog there is a real need to increase capacity with all the pictures and data sent by cell phones and computers.

Mr. Leonard stated that he just changed to AT&T for his internet provider and claimed that it is slower than his previous service. He asked would this tower help with the speed of the internet in his home?

Applicant replied yes because it would add capacity to the system.

Mr. Leonard asked if it would benefit existing customers?

Applicant answered yes

Mr. Saelens asked if there would be a generator at the site?

Applicant replied yes. However, the monopole would not jeopardize public health, safety or welfare in any way

Mr. Saelens asked the color of the pole?

Applicant replied that it would be the natural color of galvanized steel.

Mr. DeMuyne asked isn't there already a State tower at I-94 south of New Haven Road on a land fill?

Applicant replied yes.

Mr. DeMuyne asked the applicant if he was the same person that represented SBA before for the tower located on the Township property?

Applicant answered yes.

Mr. Alexie stated that because this is State land, Chesterfield Township would not get any type of revenue from this tower.

Applicant replied that was correct. However, the State would get paid a lot a lot of money from the project.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. DeMuyne

Ayes: All

Nays: None

Motion Carried

Mr. Miller stated that normal procedure is to wait until the next meeting to vote, however, he asked the Recording Secretary to poll the Commissioners to see if they wanted to vote on the application that evening.

Mr. DeMuyne replied no.

Mr. Eckenrode answered yes.

Mr. Leonard voted yes.

Mr. Saelens replied vote today.

Mr. Miller voted yes.

Mr. LaBelle stated yes.

Mr. Alexie voted yes.

Motion by Mr. Miller to approve SLU#2014-05

Supported by Mr. Saelens

Ayes: Miller, Saelens, LaBelle, Leonard, Alexie and Eckenrode

Nays: DeMuynck

Motion Carried

B. SLU # 2014-06: Gerard Ferguson, 28955 Wm. Rosso, Chesterfield, MI 48047

Proposed daily rental of existing waterfront structure. Public hearing was set on 5/13/14.

Gerard Ferguson, 2629 Woodward, Bloomfield Hills, MI addressed the board.

Petitioner stated that he was requesting a Special Land Use. He stated that he has two buildings on the property. One is a residential property now and they want to use the other building as a rental which will be used for out of state fisherman coming on weekends a few days a week during fishing tournaments.

Motion by Mr. Miller to open the Public Hearing for SLU #2014-06

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Mr. Saelens asked if it would be used year around?

Applicant stated that it would more likely mostly be used in the summer because they do not get many people that want to come up here in the winter.

Mr. Saelens asked what about ice fisherman?

Applicant commented that it is not really a hot spot for ice fishing. Canada is a lot more of the place to go for the perch ice fishing. He mentioned that here in the summertime, Small Mouth Bass is a major thing and this area is rated No. 1 in the country for the Bass.

Mr. Saelens asked how many tournaments are there over the summer?

Applicant replied that with all the different clubs there is probably one every week.

He stated that a lot of people come from out of state like Ohio, Indiana and Kentucky because they do not have the quantity or quality of fish that we have out here in this lake.

Mr. Saelens asked the square footage of the unit?

Applicant replied that the upstairs is approximately 25' x 30'.

Mr. Saelens asked if it was three bed rooms?

Applicant answered that he still has not gotten together with the architect and Building Department to find out where they can go with that; it is to be determined.

Mr. Miller asked if the one he currently has is lower?

Applicant replied that basically the building is split in half. One part is the garage and the bottom half is a bait store.

Mr. Miller asked so currently there is no rental there?

Applicant answered not in that building. He has rentals in the building on the other side of the property which was an existing residential building.

Mr. Miller asked if the applicant had to get a Special Land Use for that building?

Applicant replied no.

Mr. Meagher stated that the applicant came in and got an approval on that.

Applicant stated that it was so long ago had forgotten; it was about 5 years ago.

Mr. DeMuyneck asked if the tournaments would go late in the evening?

Applicant stated that it would not necessarily be for tournaments, it would be more for people on vacation.

Mr. DeMuyneck verified so it would be just more of a place for people to stay, not where the tournaments would be held with the weigh-ins and all of that.

Applicant replied no. There are some clubs that come from out-of-state, but that would be five or six guys coming to fish. He mentioned that obviously they would not be like a hotel and would not have a large amount of rooms and the parking would be pretty limited with the trailers and boats.

Mr. Miller stated that he recalled that the applicant mentioned he wanted this so people could leave their boats, trailers and vehicles on the property.

Applicant agreed with that assessment and added that they also supply a boat slip for their boat and people can park their trailer on the property so they do not have to go back and forth to and from a hotel. He mentioned that their property has an electronic fence that is locked up at night with an electronic key pad so their property is safe. However, he explained, the main advantage would be for people to leave the boat there so they do not have to keep taking their boat out of the water and go back and forth to a hotel.

Mr. Miller asked if the units would all have kitchen facilities?

Applicant replied yes.

Mr. Leonard mentioned that he saw the sign has been straightened out. He did not know how much engineering went into that, it looks as though it is just propped up.

Applicant replied that it was not his sign and he called the marina on the corner there because a car had hit the sign and they did repair it.

Mr. Leonard asked when it had been repaired?

Applicant replied that he knew it was on a weekend probably about two weeks ago. The owners of the fence claimed that they did not know the sign was broken because of all the shrubs over there. The car actually went through the fence and they did not notice the sign until this spring when the shrubs died. When he called them they already had the materials and just had not had the time to repair the sign.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. DeMuyck

Ayes: All

Nays: None

Motion Carried

Mr. Miller stated that normal procedure is to wait until the next meeting to vote, however asked the Recording Secretary to poll the Commissioners to see if they wanted to vote on the application that evening.

Mr. Alexie voted yes.

Mr. LaBelle voted yes.

Mr. Miller voted yes.

Mr. Saelens voted yes.

Mr. Leonard voted yes.

Mr. Eckenrode voted yes.

Mr. DeMuyne voted yes.

Motion by Mr. LaBelle to approve SLU 2014-06 for the proposed rental of existing waterfront structure contingent upon the structure, site and the facility meeting or exceeding all of the Building Department's requirements.

Supported by Mr. Saelens

Mr. Meagher stated as a clarification to motion, just so this does not become some type of apartment unit or condominium maybe they could make it clear it would be for lodging purposed only.

Mr. LaBelle agreed with the addition to the motion.

Mr. Saelens continued support.

Ayes: All

Nays: None

Motion Carried

- C. **SIGN REVIEW #2014-31:** Global Signs, 22907 Dequindre, Hazel Park, MI 48030. Proposed new wall sign located at 34870 23 Mile Road for Dollar Treasure. Tabled May 27, 2014.

Mr. LaBelle stated that this has been Tabled a couple of times and the applicant has not come back with revised drawings and the sign does exceed the 8 to 1 ratio.

Motion by Mr. LaBelle to deny Sign #2014-31

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- D. **SIGN REVIEW #2014-34:** Global Signs, 22907 Dequindre, Hazel Park, MI 48030. Proposed new ground sign located at 29230 23 Mile Road for Buscemis'. Tabled May 27, 2014.

Mr. LaBelle stated that this was the monument sign for Buscemis at 23 Mile and I-94. The applicant has submitted a new drawing and actually revised that drawing that evening. He passed the drawing and submitted it to the Chairman. He stated that the sign does meet the square footage at 8' x 8' or 64 square feet. He added that elevation wise it would be no more than 4' off finished grade as well as the applicant has added the address to the bottom of the sign.

Mr. Saelens suggested that they date that drawing.

Mr. Alexie verified that there was an address on the new sign?

Mr. Miller replied that it would be on the bottom of the sign.

Motion by Mr. LaBelle to approve #2014-34 the proposed new ground sign for Buscemis' based on the new drawing that was submitted this evening dated 6/10/14

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- E. **SIGN REVIEW #2014-35:** Sign Fabricators, 43984 Groesbeck, Clinton Twp., MI 48036. Proposed new wall sign located at 46916 Gratiot for BDT Smoke Shop. Tabled May 27, 2014.

Mr. LaBelle stated that they had been in front of the board before and the sign exceeded the Township criteria. The applicant has reduced the size of the sign and they emailed the Township earlier this week with the revised drawing. He stated that the sign is 2' x 10' and there is 20' of storefront there so the one foot to one square foot ratio was met. The sign is up and is 2' x 10'. The applicant would like them to take a look at the submission dated 6/10/14 and ask for their approval.

Mr. DeMuyck verified that the sign is up, but the applicants did make it the right size.

Mr. LaBelle answered yes.

Motion by Mr. LaBelle to approve Sign # 2014-35 based upon the drawing submitted on and 6/10/14.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- F. **SIGN REVIEW #2014-39:** Global Signs, 22907 Dequindre, Hazel Park, MI 48030. Proposed new wall sign located at 29230 23 Mile Road for Buscemis’.

Mr. LaBelle stated that the sign does meet the Township’s requirements.

Motion by Mr. LaBelle to approve Sign # 2014-39

Mr. Miller asked if the applicant attended the meeting?

Mr. LaBelle replied yes.

Mr. Miller asked if Mr. LaBelle mentioned the other two signs?

Mr. LaBelle answered that the applicant informed them that they would both be removed.

Mr. Saelens asked if that should be part of the motion?

Mr. LaBelle stated no. He informed the applicant that they were only allowed the two signs the monument sign and the one on the building.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- G. **SIGN REVIEW # 2014-49:** MLS Signs Inc., 25733 D’Hondt Ct., Chesterfield, MI 48051. Midwest Roofing and Siding Supply proposed new wall sign located at 46385 Continental Drive.

Mr. LaBelle stated that the sign does meet the Township’s requirements.

Motion by Mr. LaBelle to approve Sign #2014-49

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Motion by Mr. Miller to approve the meeting minutes from May 27, 2014 with the following correction. Frank Eckenrode is not going to resign from the Commission and that he wanted to rescind that resignation at the last meeting.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

8. COMMUNICATIONS:

There were no communications.

9. NEW BUSINESS:

There was no new business.

10. OLD BUSINESS:

Sign Review #2014-38 – Mike Santo, 33480 24 Mile Road, Chesterfield, MI 48047. Proposed new second wall sign located at 48860 Jefferson for M & M Outdoors. Denied on May 13, 2014, motion rescinded, reconsideration on tonight's meeting.

Mr. LaBelle stated that this was denied on May 13th, the motion was rescinded and will be reconsidered this evening.

Mike Santo, 33480 24 Mile Road, Chesterfield, MI 48047 addressed the board.

Applicant stated that he was the owner of M & M Outdoors and he was requesting to be allowed to put his M & M Outdoors lit sign up on the north side of the building facing Sugarbush Road because the way the building is angled towards Jefferson, customers cannot even find his store coming from that way. He explained that he opens his store at 5 AM on weekends when it is totally dark and even though he has flood lights, people cannot even see that the store is open. He did put a temporary sign up there that he is willing to take down but he would like to put the new sign up. He mentioned that he had that same yellow sign when his business was located on 23 Mile Road. He would like to put that same sign up on the side of his building.

He stated that Wayne at Reliable Sign Co. has had it in storage since he moved to this location. He reiterated that he was requesting to put that sign up on the side of the building so people can find him.

Mr. Miller stated that on the applicant's awning there is a portion that says Live Bait and that was never approved by the Commission. He mentioned that the only thing that was approved was M & M Outdoors on the front of the building.

Applicant stated that he had that put on later because he wanted to make it visible coming down from Sugarbush Road. Now people see the Live Bait sign and come in especially the customers that he gets from Brandenburg Park. He mentioned that he pretty much supplies all of the live bait for the people that fish at the park and it is really important that a tackle store advertises live bait. He would also like to keep that sign and put his name right next to it and that would be a perfect association. He stated that it is very, very, important to him that he has the word live bait out there.

Mr. Saelens stated that the words Live Bait are also on a sign at the front of the building.

Applicant replied yes there is a fish with the words on it.

Mr. Saelens asked if the applicant did not think the new sign would do it without the live bait sign also out there.

Applicant stated that M & M Outdoors does not tell a person coming from Brandenburg Park that he sells live bait. It could be a sporting goods store or a lot of different things. He stated that he has had that name for about 15 years and before that it was Anglers and Archers. He reiterated that the words live bait are so important to him especially for customers coming from the park.

Mr. Saelens asked if the applicant also wanted to keep the fish on the front?

Applicant replied yes.

Mr. Saelens commented that was a lot of signs with the two M & M signs and the two Live Bait signs. He stated that was four signs total.

Mr. Miller stated that two of the signs were not even approved originally. The Commission just approved the blue awning with the M & M Outdoors on it. He stated that the Live Bait was never approved and it is already up there and now there is another sign up there.

Applicant stated that those signs are coming down on the side where he wants to put the lit sign. He only put those up because people were passing his store by. Applicant stated that he needs that lit sign on the side of the building. He pleaded that they at least let him have the Live Bait sign on the awning. He explained that his place is a bait and tackle store and 75% of his business is bait.

Mr. Leonard asked Mr. Meagher if the size of the sign right now in storage allows him to integrate the words live bait into that sign somehow without it being a separate attachment?

Mr. Meagher stated that the way the ordinance reads, at the front of the store the owner is allowed one square foot for each lineal foot of frontage. He stated that the amendment states that 50% of that is allowed on a side or rear of a building. He explained that right now what is being proposed for the side is 25 square feet which is roughly the size of the wall it will be placed on. The sign would be at about 100% of the maximum already for a second sign. He mentioned in lieu of the fact that he does not have a ground sign out there they may be able to adjust for the larger sign on the north side. The problem comes in when an ordinance is set forth stating that they can have two signs and if there is a product that is an important part of the business; it needs to be integrated into the original square footage. Otherwise, the company next door not only thinks live bait is important but they also sell propellers and they want to add that to their sign. Pretty soon there are people justifying why they need fourteen signs not just four signs. He stated that he understood what the applicant was saying but if they play on the sympathy of this, pretty soon they get on a slippery slope and they will pay the price as far as administrating and enforcing that ordinance down the road.

Mr. Leonard stated that he just did not recall percentages going up there. He was not sure if the second sign was above the exposed area.

Mr. Meagher stated that it was above, but if they want to, they could justify it based on the fact that the applicant does not have a pylon sign.

Mr. Leonard asked if the pylon sign could be a reader board?

Mr. Meagher stated that he could probably do a reader board, but keep in mind that the building is fairly close to the road and trying to get that sign back enough....

Mr. Leonard asked if a reader board was allowed on the side of a building.

Mr. Meagher replied no.

Applicant stated that if he put a sign on Jefferson he would put live bait on there and people would be able to see it down Jefferson. His problem is that the building sits on an angle that all that is seen when coming down from Sugarbush is the white side of the building and none of the signage is visible.

Mr. DeMuynck asked if the applicant considered attaching a sign to the top of the building extending outwards and that way it could be seen both ways from Jefferson?

Mr. Meagher verified if Mr. DeMuynck was talking about a projected sign coming off the building.

Mr. DeMuynck replied yes. On a building like this the sign would be sticking out this way so it would be seen both ways from Jefferson.

Applicant asked so they are proposing the he pay for a new sign?

Mr. DeMuynck replied that it was an idea.

Applicant explained that he did not have another \$3,000 to spend on a new sign and he would have to throw out the beautiful sign that is sitting at the Reliable Sign shop. He stated that it would have to go above his awning sign and he is not so sure he could get that approved at this time to hang a sign off of that building. He is buying that building and it has been quite a bit of work already bringing it all up to code.

Mr. LaBelle stated that he understood the applicant's hardship and it is difficult to find the building coming from Brandenburg or New Baltimore. He would propose that the applicant keep the M & M sign on the canopy and they would allow a sign 50% of the allowable sign at the front of the building. He understood that the applicant already had that sign made, but it is too big for the side of the building. He stated that was his suggestion or proposal.

Applicant explained that he had to cut the words M & M off the sign when he moved into New Baltimore and put them on top, so it is in two pieces. He emailed Sherri a letter stating that if it helped he could put the words M & M on top of the word Outdoors if it is too big for that side.

Mr. Saelens stated that would not change the square footage of the sign.

Mr. LaBelle again suggested that the applicant have his sign company make a sign that is 50% of the allowable sign at the front of the building. He stated that he is against having the large sign on the sign of the building and he is against having the extra signage at the front of the building. He agrees with Mr. Meagher that we cannot allow this applicant to do anything outside the Township ordinances.

Mr. Miller asked the applicant if they allowed him to keep the M & M and put Live Bait under it and not put Outdoors.

Mr. LaBelle stated just as long as it does not exceed the square footage.

Mr. Leonard stated then it would still carry the name M & M and the Live Bait without the Outdoors. He asked if that would work for the applicant?

Applicant asked if they were suggesting for him to change the name of the business?

Mr. Saelens stated that they were trying to give the applicant a way out.

Applicant mentioned gas stations and party stores that have a signs about live bait, night crawlers and all sorts of things all over their buildings and they just have a little cooler that sells worms in the corner. He sells a couple of thousand dozens worms a week.

Mr. Saelens stated those are illegal signs and they should not be gone but that is not their responsibility.

Applicant stated that was not fair. He reiterated that live bait was 75% of his business. He complained that not everybody's building sits on a 45 degree angle on Jefferson and it hurts the business.

Mr. LaBelle stated that he understands the man has a hardship, but he does need to comply with the Township's ordinances. The applicant is exceeding the number and size of signs, he is exceeding the Township's ordinances. He suggested that he get his full size sign at the front of the building. Mr. Miller gave a suggestion on how to cut the sign to 50% and use that sign for the side of the building that faces New Baltimore.

Applicant stated then he would have to get a new sign.

Mr. Saelens asked Chairman Miller if he would like to consider tabling this so the applicant has enough time to come up with a viable sign for the side of the building.

Mr. Miller asked the applicant if he would like the Commission to table it to give him time to think about what they have discussed.

Applicant replied no, he would take the Live Bait sign off of the side of the store and the awning if they let him put up his lighted sign up. That sign cost him so much and he already had the electrical ready to go and he needs that sign up so people see the store.

There was a discussion among the Commissioners on the matter.

Mr. Miller stated that he was going to make a motion to table this to give the applicant time.

Applicant insisted that he does not need any time. He stated that summer is upon him and he is already losing business. This should have been taken care of two meetings ago, if they would have told him the right meeting to come to. He stated that his is important to him because on Saturday and Sunday mornings and Jerry at Angler's point is getting all my business because they drive right by me.

There was another discussion among the Commissioners about the signs.

Mr. DeMuynck asked the size of the sign that the applicant has in storage?

Mr. Saelens asked if it was 25 square feet?

Applicant stated it was not as big as it looks in that picture. It is about 6' long and that side of the building is 25' long. He mentioned that the picture it looks like the sign will cover the whole side of the building. He repeated again about the location and angle of the building.

Motion by Mr. Saelens to approve Sign #2014-38 at 48863 Jefferson as submitted by the applicant for the north side of the building contingent on the removal of the Live Bait and all the other signs except for the sign on the awning at the front of the building.

Supported by Mr. Alexie

Mr. Leonard asked about the Live Bait signs?

Mr. Saelens replied they go.

Applicant verified so he would have to remove the Live Bait on the sign facing north.

Mr. Saelens stated that he would also have to remove the Live Bait sign at the front of the building.

Applicant asked what if his sign is the proper size for the side of the building than what he is requesting would he then be able to keep the live bait on the sign.

Mr. Miller again suggested that they could table it.

Mr. Saelens stated that the Commission is at this point trying to engineer this and they should not have to do that. He commented that was the reason he wanted to table it. He told the applicant since he does not want to table it he made a motion and it was up to the board whether they vote yes or no on it. He told the applicant if he did not like the motion he could rescind it and they could table it.

Mr. DeMuynck stated if they table it the applicant would have to come back with some different ideas. The board is trying to work with you.

Mr. Leonard mentioned that they just changed the sign a short while ago that even allowed a sign at the side or back of a business; signs used to be only allowed at the front.

Applicant asked if he could keep the Live Bait sign at the front of the store?

Mr. Saelens replied that was not his motion. His motion is for two signs and if the applicant wants him to rescind his motion he will.

Ayes: Saelens, Alexie, Miller, DeMuynck, Leonard and Eckenrode

Nays: Mr. LaBelle

Motion Carried

11. PLANNERS REPORT:

- A. ADMINISTRATIVE REQUEST # 114:** Daniel VanThomme, 32385 23 Mile, Chesterfield, MI. Request is to replace 153' of old split rail fence with new for VanThomme's Greenhouse. Tabled May 27, 2014.

Mr. Meagher stated that the applicants currently have an old split rail fence along the west side of the property along with some chain-link fence and they are asking to replace that with black chain-link fence. He mentioned that it was previously recommended that they use some decorative fencing particularly along the frontage of the site.

Daniel Van Thomme, 36600 Hobarth, Chesterfield, MI addressed the board.

Applicant stated that he was requesting to replace 153' of split rail fence with black chain link fence. He stated that it would not be all the way across and he thought it was highlighted in yellow. It would only be 60' of frontage and 93' would run north and south along the west side of the property.

Mr. LaBelle asked if he was speaking of the fence at the west end of the property that kind of sticks out in the parking lot?

Applicant replied yes.

Mr. LaBelle stated that there is already an existing chain-link fence up against the trees in that area.

Applicant replied yes. He explained that basically they are having two problems with that fence. The first is theft from all directions and the second problem is rabbits eating everything. He stated that is why they want the chain-link fence because it can be seen through and it would stop the rabbits and a hopefully deter theft.

Mr. Leonard asked the total frontage of the property on 23 Mile Road?

Applicant answered that he was not sure. He guessed that it was probably about 1,000 feet.

Mr. DeMuyne asked how high he wanted the fence?

Applicant replied 5'.

Mr. Leonard asked if that was the height of the existing fence?

Applicant replied that on the west end it is 6' high, but he wanted to drop it down to 5'.

Mr. Leonard asked what the applicant planned to do in the future if he would replace the rest of the split rail and if there was anything else that needed to be done, down the road, would it conform to the ordinance?

Applicant stated that he had no plans to do anything else down the road because this is already more than he bargained for.

Mr. Leonard stated so this fence is the result of problems that have been happening.

Applicant answered yes. The problem is that it is close to the road and he does not want to hide the plant materials, he wants the public to see it, but with the location, theft is hard to stop.

Mr. DeMuynck asked so people are just reaching over the split rail fence at night and grabbing things over the fence?

Applicant replied that they go that way and even steal things over the 6' rail. He does not watch the place at night, but some how some way things disappear.

Mr. Miller asked if there was lighting out there?

Applicant stated that they have several large lights on a timer along the front and that area.

Mr. DeMuynck asked how long would the fence be along the sidewalk at the front of the property?

Applicant stated that it would be 60' at the front parallel to 23 Mile Road.

Mr. DeMuynck asked how high and long would the fence on the west end of the property be?

Applicant replied that the fence would be 5' high and 93' long to the back.

Mr. Saelens stated that he would like to see a decorative aluminum fence on the frontage. He mentioned that he would be fine with the black chain-link fence on the side going back.

Mr. Miller stated that if he did that, he would have to put chain-link fence anyway to get the animals out of it.

Mr. LaBelle stated that the rabbits are going to get through the chain-link fence anyway.

Applicant stated that there is a similar business down the road that has black chain-link fence at the east end of their property.

Mr. Saelens stated that the fence he is talking about is the portion on 23 Mile Road on the north end of the property.

Mr. Miller asked where the other fence was on 23 Mile Road?

Applicant replied at Meldrum's on the east end of their property.

Mr. Leonard explained that he would have more of an issue if the applicant was going further with the fence, but this sounds like it would be more of a corral area that contained product. He stated that 60' is such a small percentage of the frontage and if it were longer he may have had an issue with it.

Applicant stated that he was not going to fence the whole front of the property; he wants the product that he sells to be seen.

Mr. Leonard stated that he was okay with the 60', but any further than that he would probably have a problem with it.

Mr. Miller stated that if the Commission approved the vinyl coated chain-link fence in black we would include in that motion that any other fencing would have to be decorative aluminum fence. He asked if the applicant would agree with that?

Applicant replied that he could live with that because he has no intention of changing or putting up any more fencing.

Mr. Leonard asked if this fence would solve the theft problem?

Applicant answered that he did not think the theft would stop, but he would like to make it more difficult.

Mr. Miller asked the applicant to explain to the Commission where they are coming from to steal all that product?

Applicant stated that some times they park at the business to the west of their property because it is well hidden by a thick row of trees that goes right to the road and they are going over the 6' fence or coming around to the front over the little fence. So he is trying to do the best that he can to stop the theft.

Mr. LaBelle stated that they have rules and they are in the process of finalizing the Master Plan. He explained that they have rules to follow and one of the ordinances requires decorative fence at the front of a building. He stated and now the Commission is entertaining or being asked to approve a black chain-link fence. He stated that personally he disagreed with that. He mentioned that Van Thomme's is a very important business in the community and he would think that the applicant would like to see the community look attractive. He would like to see the applicant stick to the ordinance and put an aluminum decorative fence along the front of the property. He stated that he thought Mr. Saelens suggestion of doing the decorative fence in the front and the chain-link fence on the side is a great idea.

He stated that originally he planned to go with the silver chain-link fence and he thought the black was decorative.

Mr. Saelens stated that was not the way the ordinance was written.

Applicant replied that Meldrum's down the road has it and are they in compliance? It is good enough for them, why wouldn't it be good enough for him.

Mr. Saelens stated that is the problem everyone always wants more.

Mr. LaBelle stated that we all have ordinances and we all have rules and this group did not approve that fence at Meldrum's.

Motion by Mr. DeMuynck to approve the black vinyl fence at 5' high with black poles as per the request

Supported by Mr. Miller

Mr. Leonard stated that he would like to add to the motion, as Mr. Miller had suggested, that if there is any more fencing put up at the front of the property, it would have to be a decorative aluminum fence. Mr. Leonard asked if the applicant would agree with that?

Applicant replied yes.

Mr. DeMuynck agreed to the addition to his motion

Mr. Miller continued support

Ayes: DeMuynck, Miller, Leonard, Alexie, and Eckenrode,

Nays: Saelens and LaBelle

Motion Carried

**B. ADMINISTRATIVE REQUEST # 117: Fairview Plaza Associates L.L.C.
Minor changes being requested at 46420 Gratiot for Fairview Plaza.**

Mr. Meagher stated that the wall behind their site fell over taking with it a little bit of their parking lot. He read the engineers report and he has his own concerns with the wall that still remains as to its safety. There is concern that if they put in arborvitaes there they would not survive and people who bought home in back of the property bought them with the premise that there would be a wall behind the business. The applicant has asked or agreed to be tabled tonight so he can come back with a new proposal. The applicant will have to provide curbing and redo the parking lot. Therefore, he was asking for a motion to table it to the following meeting.

Motion by Mr. Miller to Table Administrative Request #117 for two weeks.

Supported by Mr. Saelens

Mr. LaBelle asked that it be added to the motion that the applicant must have a plan for the next meeting because the wall fell over awhile ago and the applicant has had plenty of time to make corrections.
Mr. Miller agreed to the addition to his motion

Mr. Saelens continued support

Ayes: All

Nays: None

Motion

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

Mr. LaBelle asked for Volunteers for the next preplanning meeting?

Mr. Saelens and Mr. Eckenrode both agreed to attend the meeting.

There were some comments from the Commissioners about clothing boxes, illegal signs, firewood in front of 7-11 and outside sales at another property in the Township.

Mr. DeMuyne took notes and stated that he would address the problems with Mr. Lovelock, and Code Enforcement.

13. PROPOSALS FOR NEXT AGENDA.

There were no proposals for the next agenda.

14. ADJOURNMENT

Motion by Mr. Miller to adjourn at 8:24 PM

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary