

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

June 9, 2015

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, June 9, 2015 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

Absent: Frank Eckenrode, *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. **PUBLIC HEARINGS:**

- A. **Amendment to PUD #98-28: Lottievue Riverside Woods, D.G. Residential Sale LLC,/Bill Thompson of Lehner Associates, 17001 19 Mile Rd., Clinton Twp., MI 48038. Proposed amendment to the original PUD #98-28, for Single & Multiple Family Residential for the remaining 63 acres of Lottievue Riverside, west side of Jefferson, south of Hooker Road. Public Hearing tabled until June 9, 2015.**

Motion by Mr. Miller to open the Public Hearing on Amendment to PUD #98-28

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Bill Thompson of Lehner Associates, 17001 19 Mile Rd., Clinton Twp., MI 48038 addressed the board.

Applicant stated that he was there from Lehner Associates and he was representing the proposed purchasers of the remaining Lottievue property. He stated that they would like to modify the existing PUD agreement to change what used to be duplexes to a single family development. He mentioned the original PUD was put in place in 1998 and it was modified in 2004 where they added duplexes on what was originally designated as single family homes. He stated that at this time the purchasers would like to switch it back to single family homes. He explained that there are several things involved in Phase 1 that were never completed such as the vortex storm system that was supposed to be put in and the paving of Hooker Road which was supposed to be tied into the duplex project. He stated that there is only a temporary retention basin and Hooker Road was never paved. He added that there was also some work on Jefferson that was never done along with the bike paths. He mentioned that there was also a proposed day care center at the front of the development and since then that property has been sold off. Therefore, they are at this point trying to tie things together with a modification to the PUD which would take the day care center out of it. He explained that they planned to pave Jefferson and put in the storm receptor. He stated that when talking to people at the Township and people in the development, they would rather not have the walking paths around there because they feel it is an invasion of their privacy; so this plan eliminates those pathways. He explained that the last duplex plan that was approved showed an emergency access drive in that

area (indicating the area on the plans) tying this development to the development next door and he stated originally there was also a tie in over here (indicating the area on the plans) which was never put in and now there are power pools and trees in that area. It seems like a lot of effort without much benefit. He mentioned that the Fire Department does not care if that access is there or not and they agreed to not having the second access to the property. He stated that the Fire Department would like to see the access tying to the development next door because that would give them better emergency access.

Mr. Saelens asked if they are still proposing to remove the house on Jefferson?

Applicant asked which house he was referring to?

Mr. Saelens stated the beige brick ranch on the north side of the entrance?

Applicant replied that house would not be removed. He explained that was originally proposed to be changed to a day care center and that property has been sold and would stay as it is. He stated that the improvements that were supposed to go in for the day care center, those few driveways would be eliminated.

Mr. Saelens asked what would be done with the home on the south side of the entrance?

Applicant answered that that is proposed to be a quad or a four-plex. He mentioned that there were supposed to be 14 quads in the area and two of them were not built. He pointed on the plans to the area where they are supposed to be built.

Mr. Stabile also wanted to make a comment about that house that was supposed to be taken down. He asked how it was able to be sold?

Applicant replied that he did not know.

Mr. Stabile stated that their Master Plan is to improve Jefferson to make it look a lot better than it does now and things like that are what they are trying to get rid of. He mentioned that is a concern of his and Mr. Saelens.

Applicant stated that he did not know how that property was split off and sold. He mentioned that if it was part of the original parcel, it had to go through a lot split before it was sold. He did not have any idea how that could have happened.

Mr. DeMuyneck asked if the applicant had any idea when the property was split off?

Applicant reiterated that he did not know.

Mr. Meagher stated that he would research that for the Commission.

Mr. Miller asked if the Commission has seen any of the elevations of the proposed houses?

Applicant replied no. There are no specific elevations for those homes and the property could be sold to individual owners. He mentioned that the homes built on the properties would have to conform to the Condominium documents but there is nothing specific in the documents for the single family homes.

Mr. Miller asked if the houses that they are proposing to build would be comparable to the homes that are there now?

Applicant replied yes.,

Mr. Miller asked wouldn't there be elevations of the homes for people to pick from?

Applicant replied yes but that would be down the road.

Gary Gendernalik, 52624 Laurel Oak, Chesterfield, MI 48047 addressed the board.

Mr. Gendernalik stated that he was there on behalf of the three boards of directors for the three existing condo groups in this development. He stated that the concern of the homeowners is that there is a lot of vagueness in this submission because in a typical PUD there should be a written document stating this is what is going to be done in general and this is what is going to be done in specifics. He mentioned that concerning the people in the Landings, (pointing to different areas on the depictions), this building and this building have not been built and this is where the day care was supposed to be. He mentioned another area where there was supposed to be a curb cut to get in the subdivision off of Au Sable or off of Jefferson. He pointed out the areas where the two four-plexes are to be built. He mentioned a general concern for people in the Landings is that if they are going to build the four-plexes that they be built like the ones that are there so something does not stick like a sore thumb. He explained that has to be in writing and agreed upon by the Homeowner's Association, the Township, the Township engineers and the Building Department so they are the same. He explained that in the Banks, when driving in there, it looks like there are single family homes but

they are site condos. They are not all the same, but they are similar and all brick homes and there are eight lots that remain to be built. He mentioned the people who live in the banks want to make sure the homes built are similar all brick homes of high quality. Mr. Gendernalik stated that in the Woods, which basically follows Au Sable Drive is where the vortex was supposed to be built, which has not been done and that there will probably be a \$400,000 to \$500,000 price tag to do that. Obviously, there needs to be some assurance that is put in place before they proceed to this area. One of the concerns of the people in the Woods is there be a consistency along this drive. All of these units are basically the same with one drive to the road and the other one that is turned. He mentioned that there are many different floor plans for the inside of these homes but on the outside they are all brick with wood trim and the homeowners want to make sure the new homes in the Woods look like the existing homes. He stated that the new owners must submit documents stating the new homes will be built so they continue the plan the way it is with the same high quality workmanship. In his general discussion with the Condo boards they do not really have an objection to this area being single-family homes, but they want the homes to be of the same high quality as the ones already existing in this area. He stated that they want this to be a separate condo association so they will be responsible for the roads within this part of the complex. He mentioned that the Township engineer suggested back in April that a committee be formed to study the whole complex because when they say they want a revision to the PUD, the applicants still have to address these issues. He sent them a letter on June 9th referencing the Condo Act and part was referenced by the Township engineer and in the Master Deed for the Woods that states that basically they had a 6 year time frame to finish out the complex. If it is not completed in the 6 or 10 years the Condo Act statute states that this becomes common elements and they lose the right to build and these areas are not subject to property tax. In his mind, that is a significant legal issue that has to be discussed between all the concerned parties. He mentioned that when looking at the Master Deeds for the Banks, the Woods and the Landings the language states that it must be built. That is on all the legal documents and all the revisions and he reiterated that area is not completed it becomes a common element and common elements are not subject to property tax. He mentioned in the paperwork it states that for certain improvements to the property money should be set aside in escrow to finish out the improvements. If it is not done in the time frame, and when he looked at the document the last amendment was in July of 2005, so the 10 years control runs out this July. He reiterated that needs to be addressed and he sent out letters to Mr. Thompson and Mr. Babcock about this matter and the Board sent out a letter to the Commission laying out their concerns as to floor plan, elevations, roads, etc. He stated that they asked the homeowners to come to the meeting to show their concern over this matter. He then mentioned that another concern is the road in the Banks and part of the road in the Landings is in good shape while the road at the entrance is bad and has

deteriorated. The condo associations have done repairs and patch work. He explained that he met with Mr. Thompson and talked about the Banks and asked them to put a driveway through this private home for construction access and for construction access for this area, they could just come in off of Hooker Road. He stated that often with the Road Commission, they put up a bond with the road so they came make improvements to areas of deterioration. He remarked that Mr. Schroeder of the Fire Department would like to see access through Whispering Lane because they basically only have one way in. He stated the applicants need to give them a document as to what they are going to do. Aseel from AEW stated in her letter from April 14th that maybe there should be a committee and he along with the three board presidents would represent the three condo associations and they could meet with the other Township officials, Mr. Thompson and the developer.

Mr. DeMuynck stated that Mr. Gendernalik mentioned the driveway coming in where that brown house is would be where they would have to gain access to that one area. He related that they have already heard that house has been sold. So how are they going to get a driveway by that home?

Mr. Gendernalik replied that either Mr. Thompson, his client or he would go to this woman who owns the house and ask her to sign a construction easement or licensing agreement to allow the use of this driveway to get back there for construction.

Mr. Stabile asked if that house was ever a day care center?

Mr. Gendernalik stated that, in the first phase of the Woods development, and Patrick could check on this, he did not think it contained that legal description. Therefore, he explained, that is probably why the assessor allowed it to be split off because it probably had a separate tax ID number and was not considered part of the land division.

Mr. Meagher made a comment that was inaudible.

Mr. Miller asked if anyone from the public wanted to speak on this matter and told them their comments would be limited to five minutes.

Public Comments:

Judy Peplinski, 33881 Mackinac Ct. Chesterfield addressed the board.

Ms. Peplinski stated that she lived in the detached condos and did not want anyone coming in off of Jefferson because they already have a traffic problem with cars coming into their subdivision from the party store. She added that it is dangerous and there have already been many accidents there already. If

the traffic from the new builders goes through there it will be a nightmare with trucks, trailers, and people walking on the path there. She was concerned about the walking path and the berm in that location being torn up and the noise from all the construction equipment.

Mr. Gendernalik stated that the Keg Party Store has been there for decades and that is why the bypass lane in this area needs to be improved for the left hand turn in for people who are heading northbound. He mentioned that when this project started there was no bike path, now the bike path does get a lot of use and there are stop signs for the pedestrians to give the cars the right of way. He stated that intertwined with that in an effort to modify traffic flow on AuSable there was an open space here (pointing to an area on the plans) to accommodate the mail boxes for the new homes. He explained that the mailboxes are here that service the existing homes, but down in this area, in this common element, that would be a new mailbox area because throughout the duplexes, there are mailboxes. Mr. Gendernalik mentioned that the development should put a safety gate here (pointing to an area on the plans) so that everybody that lives in this Phase would come in off of Hooker Road. He reiterated that he talked to the Chesterfield Fire Chief and Mr. Schroeder does not want to have this (pointing to an area on the plans) as a traveled road between the complexes; it would just have a safety gate for emergency access for the Police and Fire Departments.

Claudette Girouard, 33878 Au Sable, Chesterfield, MI addressed the board.

Ms. Girouard stated that Dave Hall sold the day care property and before he sold it he granted the three associations a landscaping easement. So they have an easement to maintain the berms on both sides. She explained that if the prospective builder needed to destroy one of those berms, if the day care or woman who lives in that home does not give them permission to use the driveway, they can come in and flatten out the berm because of their easement on the property. She stated that the mailboxes were another issue. There are 46 mailboxes just off of Jefferson on AuSable and if they were to add another 40 mailboxes people would be lined up trying to access their mailbox. She explained that is why in this area (pointing to an area on the plans) there was supposed to be an area set up as a mail center and that is on the original drawings.

Ron Skowronek, 32974 Whispering Lane, Chesterfield, MI addressed the board.

Mr. Skowronek stated that his condo association is opposed to creating this access road between AuSable Drive and Whispering Lane. He does not see any access road on any of the plot plans initially; if that was needed it should have been installed when the project began. He stated that Whispering Lane

is a private road and they pay to maintain it. They have only 74 residents with light traffic with very few commercial vehicles for trash pick-up, landscaping and snow removal. He mentioned that if the Township inspects that area where they want to put this access road they would discover that it is over a catch basin with pipes and all types of underground utilities that would have to be moved. He does not see a need for the access road and they do not want it with or without a safety gate.

Mr. Meagher asked if Mr. Skowronek knew if that was an assigned easement at that location between Unit 74 and Unit 75.

Mr. Skowronek stated that he did not know and he thought the area would be between Unit 46 and Unit 47.

Mr. Meagher stated that they would take a look at the area to see if that is a required easement and whether or not there is a right to grant access through there.

Mr. Gendernalik made some additional comments that were inaudible.

Paul Jones, 49522 Keweenaw Ct., Chesterfield, MI addressed the board.

Mr. Jones stated that he was the President of the Woods Board. He mentioned that there are three boards involved in this and there are representatives from all three boards present at the meeting. He stated they sent a ten page document with input from each of the co-owners. He explained that he and all of the residents bought into this community because it was safe, with upscale homes of quality construction and they would like an assurance that the new development will have similar homes with quality construction.

Mr. Meagher stated that he thought this was a good Public Hearing and there was a lot of input from the community as well as from the developer. Hopefully, the developer has listened to what the community has to say and they get some of this data in writing rather than verbally and get some of these issues taken care of as they progress. At this point in time, he stated that he does not think they have nearly enough information to act on this. He recommended to the board that this be tabled to the first meeting in August, which would allow them to get some information from the applicant, do some discovery in terms of what was brought up tonight. He explained this would also give the applicant time to work with the committee of homeowners as well as Township staff and try to come up with some agreement to resolve these issues. Therefore, he would recommend making a motion to table this with the Public Hearing open until August 11th.

Mr. Saelens commented that he agreed with the last gentleman who spoke and they need more information to make a decision.

Mr. DeMuyck also agreed with Mr. Saelens and stated that he appreciated everyone being at the meeting. He explained that as a Township Board member he is looking out for their rights. He realizes that these residents live in a nice community and he lives in that area. He mentioned that the one lady mentioned the Wooden Keg which has been there since like the 60's or 70's. He grew up in that area as a little boy and with that he just wanted to make it clear that some of the resident's concerns are Road Commission concerns that they cannot address but he does understand the problems these people are facing. He reiterated that this is a nice area with mostly retired people and as a Township Board member he is looking at this project. He added that he has a problem with the seller and that will also be addressed.

Mr. Alexie commented that there are way too many unanswered questions regarding this matter that need to get resolved before they can make a decision.

Mr. Miller stated that he did not think any of the board members would be comfortable voting on this any time soon until they get more information.

Mr. LaBelle commented that he would not make any type of a decision on this matter until they receive more information from the applicant.

Mr. DeMuyck remarked that he thought he could speak for the entire board to assure the residents that this will sit until they get the answers to many questions.

Mr. Stabile was surprised that the meetings between Mr. Thompson and Mr. Gendernalik did not solve any of these problems.

Mr. Thompson stated that they were just meeting to exchange information and the attorneys are not going to solve anything.

Mr. Meagher brought up the fact that Mr. Thompson called him last week and wanted to schedule a meeting with him and the Township staff and unfortunately he was not able to coordinate a date with the engineers in time for the meeting tonight.

Mr. Gendernalik made some addition comments that were inaudible.

Mr. Meagher stated that it is not Mr. Gendernalik's property they can voice their concerns and obviously the board wants to know about them and will try to address them as well as they can. However, the applicant has heard their

concerns and now they have to submit something to address those concerns; either way the Commission has to make a decision on what they have in front of them at the time.

Mr. Thompson stated that this has been a very polite Public Hearing and he appreciates the Commission's and the resident's cooperation. He thought that if they put this off for eight weeks, nothing will happen until the seventh week. He asked if it would be possible to set this for four weeks? He mentioned that he could light a fire under his clients and get this going.

Mr. Meagher stated that was up to the Commission.

Mr. Thompson related that he would rather see it tabled for four weeks.

Mr. Meagher asked if Mr. Thompson realized that if this is tabled for four weeks and his clients are not prepared after the four weeks, the Commission may be tempted to take action at that point?

Mr. Thomson replied let's make it for eight weeks.

Motion by Mr. Miller to Table the Amendment to PUD #98-28 with the Public Hearing open to August 11, 2015.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

B. SPECIAL LAND USE #2015-08: Tom Kellog/Lehner for Robert Grucz, 51825 Gratiot, Chesterfield, MI 48051. Proposed new Medical Suite-Dentistry Office in the industrial district located at 51723 thru 51821 Gratiot. Public Hearing open, tabled 5/26/15.

Motion by Mr. Miller to open the Public Hearing.

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

Bob Grucz, 51825 Gratiot, Chesterfield, MI addressed the board.

Applicant stated that he was Bob Grucz from Delta Industrial and he stated that he read all of the concerns from AEW and Community Planning and they have no problem with abiding with all of them.

Mr. Miller asked if the applicant would like to give a little presentation to the board?

Applicant replied that his son-in-law, Jerry, did that at the last meeting a few weeks ago.

Mr. LaBelle asked Mr. Grucz to explain to the Commission about the remote parking on the other side of the retention pond?

Applicant replied that they are industrial contractors and they travel all through the United States so at any particular time they may have 60 to 70 people from here flying to different places. He stated that they have a shuttle service to drive everybody back and forth to the airport, but their cars stay there. He explained that the reason for those parking spots is for employees cars who are gone for two or three weeks and come back and may be home for five days and that additional parking was put there for that reason.

Mr. LaBelle complimented the applicant and stated that it was a great idea because it does not tie up the parking lot and it allows the people that are in and out of town on a regular basis to have a place to park.

Applicant stated that it works very well and they have put cameras on the area for protection.

Mr. LaBelle brought up the fact that on the elevation it refers to a brick panel. He stated that his feeling would be that it needs to be real clay brick and not a brick panel.

Applicant replied that he did not have a problem with that either. He read that in the synopsis from the company who is doing the work and the idea was to get something that is steel framed above those windows to take the weight off, but he would prefer that be brick and that it be something to match what is behind it.

Mr. Saelens asked if the existing building was real brick?

Applicant replied yes it is.

Mr. Miller stated that he thought that area north of Home Depot needs some improvement so he is glad they are putting something like this in that area.

Public Comments:

Frank Barbier, 51705 Gratiot, Chesterfield, MI addressed the board.

Mr. Barbier stated that he was next door to the applicant's property. He mentioned that he did not have a problem with the medical/dental offices. He explained that his only problem is that the county has a 75' right of way on that property from Gratiot to where the sidewalk is going to be built and he is next door and the County has a 60' right of way on his five acre parcel of property. He stated that when people are walking down the sidewalk they will continue through and walk on his property directly in front of his commercial building and will be peeking in his windows, which he does not like. He mentioned that he would like to see some type of barrier put up at the end of that sidewalk to go within 60' of the right of way on Gratiot and extend back far enough to the west so people would not be walking around the other way on his property.

Mr. LaBelle asked if Mr. Barbier's building was just south of the development?

Mr. Barbier replied yes.

Mr. DeMuyne stated that to the north they have Fuel Gas, Mr. Bruce's property where there is not sidewalk and the other development to the north has a sidewalk. So that area is spotty with sidewalks on that west side of Gratiot.

Mr. Saelens remarked that there are a lot of people that walk up and down that area every day. He asked Mr. Barbier if the people walk on his property now or do they stay closer to Gratiot?

Mr. Barbier replied that right now they walk closer to Gratiot, but when the sidewalk is in there they are going to start using it.

Mr. Saelens stated that he owned the property next to Fuel Gas.

Mr. Meagher stated that if the sidewalk is going to end there they could put a sign up with the words Sidewalk Ends.

Mr. Barbier commented that people do not look at signs.

There was a short discussion among the Commissioners as to what they could do about this issue.

Applicant asked if he could put a fence up there to stop the people from walking through.

Mr. Meagher explained that plan would have to be brought up to the Road Commission because typically they do not want any type of barriers out in their right-of-way.

Mr. Barbier stated that it was not the Road Commission's right-of-way because he only has a 60' right-of-way on his property and his neighbor has a 75' right-of-way.

Mr. Meagher stated if the applicant is willing to put up a fence on Mr. Barbier's property and it is not in the County's right-of-way that is something that can be worked out between both parties.

Applicant stated that he would take care of it.

Mr. Saelens asked what type of fence would they be putting up?

Mr. Barbier stated that maybe a 6' cyclone fence and high enough so no one would jump over it.

Mr. Meagher related to Mr. Barbier that he could not do that by ordinance.

Mr. LaBelle stated that they would have to put up some type of decorative fence.

Mr. Meagher asked the applicant if he was willing to coordinate that with the Township engineer?

Applicant replied yes.

Mr. Leonard asked the gap between the two sidewalks?

Mr. DeMuyck asked what about putting a diagonal sidewalk from Delta's property over here so they would be directed to walk out more toward Gratiot?

There was another discussion among the board members.

Motion by Mr. Miller to close the Public Hearing.

Supported by Mr. DeMuyck.

Ayes: All

Nays: None

Motion Carried

Motion by Mr. Miller to poll the board members to see if they would like to vote on this tonight

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Mr. Alexie replied that he would like to vote tonight.

Mr. Moran wanted to vote tonight.

Mr. Stabile voted tonight.

Mr. LaBelle answered tonight.

Mr. Miller voted tonight.

Mr. Saelens wanted to vote tonight.

Mr. Leonard stated tonight.

Mr. DeMuyneck replied that he would like to vote tonight.

Motion by Mr. Miller to approve Special Land Use #2015-08 for Delta. The applicant must comply with the stipulations from AEW and Community Planning and get the sidewalk in there somehow.

Applicant stated that he would do whatever Mr. Barbier wants.

Supported by Mr. Alexie

Mr. Meagher asked if Mr. Miller would include in the Motion that approval would be subject to Township staff insuring that it is done in a proper form and fashion.

Mr. Miller agreed with the addition to his motion.

Mr. Alexie continued support.

Ayes: All

Nays: None

Motion Carried

6. **REVIEWS:**

- A. **SPECIAL LAND USE #2015-09:** Gary Gendernalik for Curtis Outdoor Inc., 44 Grandville Ave. S.W. #001, Grand Rapids, MI 49503. Propose to remove 33 Mile Road pylon sign with “Pure Michigan” monument sign, I-94 sign and a billboard with display area. Set Public Hearing for July 14, 2015.

Motion by Mr. LaBelle to Set the Public Hearing for Special Land Use #2015-09 for July 14, 2015.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- B. **SIGN REVIEW #2015-47:** Metro Detroit Signs., 23544 Hoover, Warren, MI 48089 Proposed new wall sign located at 50467 Waterside Drive for Rally House.

Mr. LaBelle stated that the applicant originally applied for a sign that was over the Township Ordinance allowable square footage. He explained that since then the applicant has sent via email a revised sign that is 72.66 square feet which is allowable and does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2015-47 based upon the revised sign layout dated 6/5/2015.

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

- C. **SIGN REVIEW #2015-48:** Metro Detroit Signs., 23544 Hoover, Warren, MI 48089 Proposed ground sign (#1) resurface sign located at 50467 Waterside Drive for Rally House.

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

Motion by Mr. LaBelle to approve Sign # 2015-48

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- D. **SIGN REVIEW #2015-49: Metro Detroit Signs., 23544 Hoover, Warren, MI 48089 Proposed ground sign (#2) resurface sign located at 50467 Waterside Drive for Rally House.**

LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2015-49

Supported by Mr. DeMuyne

Ayes: All

Nays: None

Motion Carried

7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Motion by Mr. Miller to approve the meeting minutes from May 26, 2015

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

8. COMMUNICATIONS:

There were no communications.

9. OLD BUSINESS:

There was no old business.

10. NEW BUSINESS

There was no new business.

11. PLANNERS REPORT:

A. ADMINISTRATIVE REQUEST #139: Buggy's Sports Bar, 50225 Gratiot Chesterfield, MI 48051. Requesting approval for a concrete pad w/footing for a proposed outdoor smoking area located at the above address.

Mr. Meagher related that the information that they have at this time is not adequate to determine whether or not this will impact the site plan. He asked if he was correct and all the applicant wants to do is pour a concrete pad?

Mike Hathaw Dr., 5383 Barb Dr., Casco, MI 48064 addressed the board.

Applicant replied yes.

Mr. Meagher asked if there would be some type of wall on the side of it?

Applicant answered from his understanding there would have to be a fenced in area; so they would have to put in footings in order to fence it off. He mentioned the area would be in the parking lot.

Mr. Meagher verified so the area would be fence there.

Applicant replied yes because he wants their customers to be safe smoking in their parking lot. They would like to put a patio and enclose it so the people would not be afraid they are going to be hit by a car.

Mr. Meagher stated that they would have to see how this relates to the existing parking; as far as what the available parking spaces are at the site and if they are losing any parking as a result of the patio.

Applicant stated that they would only be losing two parking spots, so they would still have 3 handicapped parking spots and 120 other parking spaces.

Mr. Meagher stated that is the information that they must have in writing on the paperwork because it becomes a kind of contract for the applicant's protection as well as the Townships'. He explained that the same Commissioners may not be here in a few years and if they make this change and later someone challenges them asking who said the applicant could do this. He recommended that the applicants give him a call at this office and perhaps

they could get something as far as what they are going to do and help them get past the ordinance standards, so they can get them approved. He stated that the request seems simple and should not take a lot, but it is just not clear on the drawing.

Applicant asked if he should take some pictures?

Mr. Meagher replied that may help. He stated give him a call at the office and they can set up a meeting and they can sit down and run through what they have to do.

Mr. Saelens asked if the applicant was planning to put up a canopy?

Applicant replied not at this time.

Mr. Saelens asked if the applicant saw the comments from AEW?

Applicant replied no.

Mr. LaBelle handed the applicant a copy of AEW's comments to the applicant.

Mr. Miller asked if they would be serving food or alcohol out there?

Applicant replied no.

Mr. Meagher asked the applicant if he would be able to get the information in to them by Thursday at noon for the next meeting in two weeks.

Mr. LaBelle stated that the applicant mentioned a fence and personally he would be interested in what type of fence.

Mr. LaBelle asked if the applicant planned to put picnic tables out there?

Applicant replied yes.

Mr. Saelens stated that LLC requires that a patio has to be accessed from the building and not from the outside?

Applicant replied correct. He stated at the front at their main double doors; one door would go out to the patio and one would go into the bar. He thought that aspect of the plan was indicated in the paperwork and there would also be an emergency gate.

Mr. Meagher asked the applicant to call him in the morning?

Motion by Mr. Miller to Table Administrative Request #139.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- B. ADMINISTRATIVE REQUEST #140: Gale Koehler for Chesterfield Wal-Mart, 45400 Market Place Blvd. Chesterfield, MI 48051. Requesting Administrative approval for 24 - 8' x 40' temporary storage containers for their upcoming store renovation. Containers will be removed off premises immediately following completion of the remodel.**

Mr. Meagher stated that this was for temporary storage containers and because this is a request for temporary structures and temporary use this does not really belong in the purview area of the Planning Commission and perhaps they could just make a motion on this to pass it along to the Zoning Board of Appeals.

Motion by Mr. Miller to remand this request to the Zoning Board of Appeals

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

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

Mr. Alexie mentioned that he had a flyer for free food at Qdoba for Township employees from 11:30 AM to 1:30 PM.

Mr. Stabile commented that two week ago he talked very strongly against a particular project for a particular reason and then voted for it. He apologized for that and in the future he was going to make sure he voted no when he feels that strongly against something.

Mr. LaBelle asked for volunteers for the next preplanning meeting on June 23rd.

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

Mr. Saelens also agreed to attend the meeting.

13. PROPOSALS FOR NEXT AGENDA.

There were no proposals for the next agenda.

14. ADJOURNMENT

Motion by Mr. Miller to adjourn at 8:46 PM

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary