

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

April 26, 2016

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, April 26, 2016 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
Joe Stabile
Brian Scott DeMuynck
Carl Leonard
Jerry Alexie
Frank Eckenrode
Ray Saelens

Absent: James Moran, *excused*

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

3. APPROVAL OF THE AGENDA

Motion by Mr. Miller to approve the agenda as submitted

Supported by Mr. DeMuynck

Ayes: All

Nays: None

Motion Carried

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

5. PUBLIC HEARINGS: None

A. **PUBLIC HEARING TO AMEND CHAPTER 76-ZONING ORDINANCE:**
Public Hearing is to adopt and amend a new Section, #76-99, Temporary Structures. Tabled March 22, 2016

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

Mr. Gendernalik stated that the way he read this amendment it would prohibit all temporary structures or buildings. He brought up batch plants, gazebos, and other temporary structures that would not be permissible under this ordinance. He mentioned that the one provision 76-616 should not be deleted in its entirety because it takes away the right for people to go to the ZBA for any temporary structures or land use which is part of the zoning ordinance. He explained that people should always have a right to go for an appeal or variance.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Mr. Meagher stated that he recommend that if the Planning Commission is so inclined that the motion, if it is motion to approve the amendment, should include a contingency and that the board consider removing the stipulation that the ZBA authority to grant temporary uses, not be removed from the ordinance.

Motion by Mr. Saelens to approve the Amendment #76-99 with the contingency to remove the stipulation that the ZBA authority to grant temporary uses not be removed from the ordinance.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

Mr. Miller asked for a roll call vote and all Planning Commission members voted Aye on the Motion

- B. PUD #2015-14: SALT RIVER FLATS (Preliminary Review) Salt River Associates Paul Esposito 45489 Market Street, Shelby Twp. MI 48315. Proposing 163, 80' x 130' Single Family Residential lot development in the R-1-A zoning district located at 33633 23 Mile Road property was previously Salt River Golf Course on the north side of 23 Mile Road west of Baker Road. Public Hearing set 2/23/16.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Mr. Meagher stated that they have been through the conceptual review for the PUD already and at this point he wanted to make it clear for the record that they are at the application stage and preliminary site condo stage

Rob Wagner, Civil Engineer for Salt River Flats and for the developer, 3815 Plaza Drive, Ann Arbor, MI 48108 addressed the board.

Applicant stated that he wanted to talk about the agenda where they mentioned 130' lots. He stated for clarification some of the lots are 150'. They were here in November and heard comments from consultants and residents of Chesterfield and after that meeting they took back many of the consultant's and resident's comments and made some changes. As a result of that meeting, they increased the buffer on the west and east sides from 30' to 50'. He mentioned that they also added many walking paths linking the phases for the connectivity of the pedestrians. The depth of many of the lots were reduced from 150' to 130' in depth where they adjoin the open space. He explained that they added a boulevard and screening between Wendy's per the planning consultant's comments. He mentioned that in November most of the residents were concerned about flooding issues that they have seen over the years, and he wanted to assure them that they would design the grades according to Chesterfield Township's engineering standards, Macomb County's drainage standards, and they will be getting a permit from the DEQ. He stated that they would have to go through all of those hurdles when dealing with the flooding issues that many residents are concerned about. He stated other than that they were asked about the width of the fire access road at Baker. He explained that they would maintain that 16' access and that was approved by the Chesterfield Fire Department. He stated that they have received comments from Planning, the Engineering Department and the Fire Department.

Applicant stated that since receiving the Fire Department's review they have spoken to the Fire Marshall and the issue with the one access was approved as long as they sprinkle and suppress those homes in that area, that would satisfy the Fire Marshall. He explained that there are still some issues with the Engineers and he mentioned they would be dealing with that at a meeting at 8AM tomorrow morning.

Mr. DeMuynck asked if they would be going over all the items on the list which was received from AEW?

Applicant replied yes.

Mr. Meagher stated that Gordon Wilson from AEW, the developer, a representative from the Fire Department and he are going to meet tomorrow morning to address these issues. He stated that at tonight's meeting they are going to take public comments and address as many of them. However, based on their protocol, they will take public comments, the issue will be tabled with the meeting either left open or closed and then it will come back for a decision at some time.

Applicant stated that they are in the process of attempting to get agreements from the adjacent neighbors to gain secondary emergency accesses. He pointed out the areas on the plans. If they cannot get those agreements, they will use sprinkle and fire suppression for those homes.

Mr. Saelens asked if that is 100% fire suppression?

Applicant replied yes, but only for the homes that do not meet the requirements for the Fire Marshall; mostly it would just be the homes beyond the bridge.

Public Comments:

Mr. Gendernalik made comments about his concerns with the size of the proposed lots and about the flooding issues that already exist in that neighborhood.

Doug Rheume, 52754 Weathervane, Chesterfield, MI 48047 addressed the board.

Mr. Rheume stated that there is flooding in his neighborhood and with new homes going in the flooding is only going to get worse. He also made comments about the previous board rejecting this plan and traffic issues in the area.

Grace Curcuru, 33670 24 Mile Road, Chesterfield, MI 48047 addressed the board.

Ms. Curcuru stated that she lives on the north side of this development and no one ever contacted her about a secondary access and she is not in on this. She commented that her property was not for sale and she is not in favor of it

Joe Mazur, 52588 Laurel Oak Lane, Chesterfield, MI 48047 addressed the board.

Mr. Mazur was against the project because there would only be one way in and if something happens on that road a whole bunch of people would be landlocked.

Allan Leitch, 52070 Laurel Oak, Chesterfield addressed the board.

Mr. Leitch stated that by putting in a subdivision on that property the quality of living for the people living on that golf course will be reduced because their view is gone. He also thought allowing this would hurt his investment because he would no longer be living on the golf course.

Paul Szymanski, 51285 Baker, Chesterfield addressed the board.

Mr. Szymanski was concerned about not having the two way egress and in an emergency, the one way in and one way out is just not safe.

Dorothy Moore, 51900 Laurel Oak addressed the board.

Ms. Moore was against the project because of the traffic problems and trying make a left hand turn on to 23 Mile from D.W. Seaton in the morning.

Ron Demers, 51516 Laurel Oak Lane, Chesterfield, MI addressed the board.

Mr. Demers stated that he was opposed to the approval for the subdivision.

Alison Leitch, 52070 Laurel Oak, Chesterfield addressed the board.

Ms. Leitch stated that when there are many subdivisions in the area with construction started and not finished, so why add another area for development. She just does not see the need for it.

Mark Stevelieck, 33360 Justin Ct., Chesterfield, MI addressed the board.

Mr. Stevelieck shared his concerns about the people in the homes with fire suppression who in case of fire would still have issues with smoke inhalation.

A man claiming to be the deceased Chesterfield Township Supervisor Matt Wagner (Believed to be Dominic Bellomo, 52750 Weathervane, Chesterfield, MI) was concerned about flooding in the area.

Micky Mazur, 52588 Laurel Oak Lane, Chesterfield addressed the board.

Ms. Mazur had concerns about fire safety in that community.

Applicant stated that they would be relocating the pipe in the easements to work around their layout; they will be revising the storm sewer and easement and relocating the detention ponds. He explained that regarding the flooding, they will be supplying all these detention ponds and that will release water at the same rate it is going now or less in accordance with County standards. He mentioned that they will be conducting a hydraulic flood study during the engineering stage with the engineers and the DEQ. He stated that a traffic study will be done in order to connect with 23 Mile Road and that will be done during the engineering and permitting stage. He stated that most of these issues will be discussed tomorrow with the Planner, Fire Department and Engineer.

Mr. Saelens was concerned about the egress to the north and stated that he thought they needed two egress points out of that property. He also shared his concerns about the traffic flow onto 23 Mile because it is an extremely congested area now.

Mr. LaBelle stated that there were some great points brought up and great questions asked by the residents. He mentioned that they are still in the preliminary stages and they need to let the applicants work through all these issues. He thinks the issues will be resolved and everybody will be happy.

Mr. DeMuynck stated that there are definitely a lot of issues here and they will have to see where this goes to when they meet tomorrow. He mentioned that regarding the traffic on M-29, that would be an MDOT decision and they will have to check with the Road Commission on that. He offered to call the Road Commission on that matter.

Motion by Mr. Miller to Table PUD #2015-14 to the next meeting with the Public Hearing kept open

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

C. PUD #2016-03 (PRELIMINARY REVIEW) THE WOODLANDS: JVC Development, 44250 Garfield, Clinton Twp., MI 48036 – Preliminary Review for PUD containing 21 single family lots located on the east side of Gratiot, south of 22 Mile Road Public Hearing set on 2/23/16.

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

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

Applicant stated that his client's land is an irregular piece of property on Gratiot. He explained that his client is putting in 21 single-family homes and they have no issues with flooding because they have full access to the Fuller Drain. It was previously approved for 40 units of six-plexes and now they are down to 21 single family homes. He mentioned the Road Commission had them move the sidewalk so it goes up to Gratiot. He stated that he thought Patrick requested that they put in more trees in the front so they made modifications for that which basically acts as a sound and visual buffer. He made some additional comments away from the microphone that were inaudible.

Mr. LaBelle asked if they had any elevations of what they are proposing?

Applicant replied that he did not have any.

Mr. Miller asked if the screening along Gratiot would be evergreens?

Applicant answered yes and they can make that modification. He also mentioned that the sign can be relocated when they apply for it and basically it would be a stone type subdivision sign.

Public Comments:

Sharon Bowen, 48530 Gratiot, Chesterfield, MI addressed the board.

Ms. Bowen stated that she owned the property to the south and she wondered if this is approved to be residential right next to C-3 would that negatively affect what business can go in there.

Mr. Meagher replied that when C-3 comes in next to residential, it does require screening. It may have an impact if they want to put in something that generates a lot of noise.

Ms. Bowen asked if it would affect traffic or parking?

Mr. Meagher stated that C-3 is the most liberal zoning district and there would be many permitted uses. People that buy there hopefully will be made aware that they do have C-3 next to them and if they do their homework, they will know that. He explained that she could maintain it as C-3 or keep it for your residential use.

Ms. Bowen asked if she would be able to sell it as a residential lot?

Mr. Meagher stated that as long as the structure remains on the property it is considered a non-conforming use and if not she would be able to petition for the property to be rezoned as residential. He stated that if this is approved it would be very likely that she would not have any problem getting her property rezoned.

Douglas Srmojedny, 48585 Fuller, Chesterfield, MI 48051 addressed the board.

Mr. Srmojedny stated that he had no problem with it being developed.

Motion by Mr. DeMuyneck to close the Public Hearing

Supported by Mr. Leonard

Ayes: All

Nays: None

Motion Carried

Mr. Miller asked the recording secretary to poll the board and everyone agreed that they would like to vote on the application that evening.

Motion by Mr. LaBelle to approve PUD #2016-03 the Preliminary Review of the Woodlands for JVC Development for 21 single-family lots located on the east side of Gratiot south of 22 Mile Road. He noted that the approval is subject to Community Planning's and the Engineer's comments and if necessary it would be subject to a written PUD agreement if the Township attorney deems it necessary.

Supported by Mr. Leonard

Ayes: All

Nays: None

Motion Carried

- D. REZONING PETITION #335: Palazzolo Brothers Construction, 3737 Cherry Creek Lane, Sterling Heights, MI 48314 Proposed rezoning of property located on the west side of Chesterfield Road, north of 23 Mile Rd. Public Hearing set on 2/23/16.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Sam Palazzolo, 3737 Cherry Creek Lane, Sterling Heights, MI 48314 addressed the board.

Applicant stated that he has owned the property for 12 years and now with the economic times improving they would like to look at this site to develop. They think the zoning is the best use for the site and they feel Mr. Meagher has summed up everything in the information packet. There is M-1 to the south, M-2 to the east and residential to the north and they think they will fit in well with their new site plan.

There were no public comments.

Mr. Saelens asked if the applicant planned to follow the comments made by Community Planning?

Applicant replied yes.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. DeMuyne

Ayes: All

Nays: None

Motion Carried

Mr. Miller asked the recording secretary to poll the board and everyone agreed that they would like to vote on this matter that evening.

Motion by Mr. LaBelle to approve Rezoning Petition #335 for the property located on the west side of Chesterfield Road, north of 23 Mile Rd. He stated that the applicant must adhere to the comments from the Planner.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

6. **REVIEWS:**

- A. **SIGN REVIEW #2016-29: Neon Master 15222 Tireman, Detroit, MI 48228. Proposed new wall sign at 49120 Gratiot for Giuseppe's Italian Restaurant.**

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

Motion by Mr. LaBelle to approve Sign #2016-29

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- B. **SIGN REVIEW #2016-30: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089. Proposed new wall sign located at 51346 Gratiot for Buffalo Wild Wings.**

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

Motion by Mr. LaBelle to approve Sign #2016-30

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

C. SIGN REVIEW #2016-31: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089. Proposed re-skin of existing canopy fabric located at 51346 Gratiot for Buffalo Wild Wings

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

Motion by Mr. LaBelle to approve Sign #2016-31

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

D. SIGN REVIEW #2016-32: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089. Proposed resurface of pole sign insert on 23 Mile Road for Buffalo Wild Wings

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

Motion by Mr. LaBelle to approve Sign #2016-32

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

E. SIGN REVIEW #2016-33: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089. Proposed resurface of pole sign insert on the Gratiot pylon for Buffalo Wild Wings

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

Motion by Mr. LaBelle to approve Sign #2016-33

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

F. SIGN REVIEW #2016-34: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089 Proposed new ground sign located at 45160 Market Place Blvd. for Culver's

Mr. LaBelle stated that the applicant has asked them to table the sign for up to two meetings.

Motion by Mr. LaBelle to Table Sign #2016-34 up to two meetings

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

G. SIGN REVIEW #2016-35: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089 Proposed new wall sign #1(west elevation) located at 45160 Market Place Blvd for Culver's.

Mr. LaBelle stated that the applicant has asked them to table the sign for up to two meetings.

Motion by Mr. LaBelle to Table Sign #2016-35 up to two meetings

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

H. SIGN REVIEW #2016-36: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089 Proposed new wall sign #2, (south elevation) located at 45160 Market Place Blvd. for Culver's.

Mr. LaBelle stated that the applicant has asked them to table the sign for up to two meetings.

Motion by Mr. LaBelle to Table Sign #2016-36 up to two meetings

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- I. **SIGN REVIEW #2016-37: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089 Proposed new wall sign #3, (north elevation) located at 45160 Market Place Blvd. for Culver's.**

Mr. LaBelle stated that the applicant has asked them to table the sign for up to two meetings.

Motion by Mr. LaBelle to Table Sign #2016-37 up to two meetings

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- J. **SIGN REVIEW #2016-38: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089 Proposed new wall sign #4, (east elevation) located at 45160 Market Place Blvd. for Culver's.**

Mr. LaBelle stated that the applicant has asked them to table the sign for up to two meetings.

Motion by Mr. LaBelle to Table Sign #2016-38 up to two meetings

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- K. **SIGN REVIEW #2016-39: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089 Proposed new directional signs located at 45160 Market Place Boulevard for Culver's.**

Mr. LaBelle stated that the applicant has asked them to table the sign for up to two meetings.

Motion by Mr. LaBelle to Table Sign #2016-39 up to two meetings

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- L. **SIGN REVIEW #2016-40:** Dana Pittman 43455 Schoenherr, Sterling Heights MI 48313. Proposed wall sign resurface located at 31225 23 Mile Road for Silver Pines Medical Group.

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

Motion by Mr. LaBelle to approve Sign #2016-40

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

7. **APPROVAL OF MINUTES FROM PRIOR MEETINGS:**

Motion by Mr. Miller to approve the meeting minutes from April 12, 2016.

Supported by Mr. DeMuynck

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:

ADMINISTRATIVE REQUEST # 159: R J Logistics, LLC, 51300 Danview Technology Ct., Shelby Township, MI 48315. Request for a review of their plan for the property at 30860 Sierra Drive, Chesterfield, MI

Mr. Meagher stated that RJ Logistics wants to move into the property just north of Anchor Bay Packaging. He stated that they are requesting to have ten truck parking spaces and that would be the maximum at any one time. He stated that basically they want to take that vacant building, put in a warehousing operation and store their licensed trucks and trailers that will be utilized for their warehouse operations. They took a look at this prior to the meeting and have no objections to it.

Mr. LaBelle asked if this business had any special use in that development?

Mr. Meagher stated that it used to be an RT zoning district there which is Research and Technology. He explained that the Schmidt's, the owners of the property, would come in for various uses that were not fitting of an RT district and finally the Township modified the consent to say this would operate the same as an M-1 district and that is where it stands today. Therefore the use as warehousing is not a problem. He stated that if someone would make a motion it would be the caveat that any islands and trees in front of those truck parking spaces would have to be removed as a condition of this use. He stated that on the site plan L-1 they are showing some islands there.

Mr. Clydie from RJ Logistics addressed the board.

Applicant stated that those islands have been removed and it is a clean parking lot except for at the back on the east side there is a fire hydrant, but everything else has been removed.

Mr. Saelens asked what size trucks would be parked there?

Applicant replied just regular semi-trucks with 53' trailers and the tractor. He explained that the trailers might not be connected and if they have to they can separate the trucks and the trailers.

Mr. Saelens asked if they were going to drop trailers?

Applicant answered that they can separate the trucks and trailers.

Mr. Saelens asked if they would be there for a period of time?

Applicant replied that they use the trucks in their day to day operations.

Mr. Meagher stated that they will warehouse and deliver different types of auto parts.

Applicant stated that they have automobile based companies that require them to haul their material.

Mr. Saelens asked if the materials would be offloaded into the warehouse and then reloaded back on?

Applicant replied correct. He stated that they have two docks there and also access to the inside.

Mr. Saelens asked if just 10 trucks would be it?

Applicant replied yes. They have two other locations with yards, one is Casco County and one is Shelby Township and that is where they store most of their equipment. So there will be no more than 10 trucks parked there at one time.

Mr. Alexie asked if the trucks would only be in the designated area marked on the plans in yellow?

Applicant replied yes.

Mr. Meagher stated that the Commissioner's concern is that the maximum of 10 trucks are parked in the designated area because they do not want it looking like a trucking terminal.

Mr. Alexie asked how many employees they have at this time?

Applicant stated that the office is 5300 square feet and they have 15 right now, but they are a growing company.

Mr. Saelens asked if they felt there would be no problem with leaving those tractor/trailers there overnight without a fenced area?

Applicant stated that they do not see a problem and they are going to set up security cameras in the area.

Mr. Saelens asked if there would be any fuel tanks on the property?

Applicant replied no the trucks would be refueled off site.

Mr. LaBelle asked if any maintenance of the trucks would be done on the property?

Applicant answered no, all the truck maintenance is done by vendors off-site.

Motion by Mr. Miller to approve Administrative Request for RJ Logistics warehousing operation. There will only be a maximum of 10 trucks parked at the location at a time and there will be no mechanical repairs or maintenance done on the site.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

ADMINISTRATIVE REQUEST #160: Sugarbush Tavern, 27900 21 Mile Rd, Chesterfield, MI 48047 for a canopy off the west side of their building.

Mr. Meagher stated that he; the Engineer and the Building Director by ordinance have the right to approve administrative changes that they find to be very minor. He stated that this particular request is for Sugarbush Tavern. They would like a canopy off of the west side of their building and it would be 14' wide and 30 or 31' running along the side of their building. He explained that it will cover the existing patio back there by the horseshoe pits. He stated that if there are no objections by the Commission, they would like to go ahead and approve that.

Mr. Saelens asked if they would be putting in foundations for the supports?

Mr. Meagher replied yes, it would have to meet all the building codes.

Mr. LaBelle asked if they would be taking the canopy down in the winter?

Mr. Meagher replied no it would be up all year around.

Motion by Mr. Miller to approve the canopy for Sugarbush Tavern

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

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

Mr. LaBelle asked for volunteers to attend the next preplanning meeting on May 10, 2016

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

Mr. Saelens also agreed to attend the preplanning meeting.

13. PROPOSALS FOR NEXT AGENDA.

There were no proposals for the next agenda.

14. ADJOURNMENT

Motion by Mr. Miller to adjourn at 8:56 PM

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary