

**.CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

May 10, 2016

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, May 10, 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
James Moran
Ray Saelens

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. Saelens

Ayes: All

Nays: None

Motion Carried

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

5. PUBLIC HEARINGS:

- A. **PLYMOUTH VILLAGE PUD #2013-19: (Final Review) Leone Companies, 49212 Van Dyke, Shelby Twp., MI 48315. Proposed multi-family lots located in Plymouth Village II located on the east side of Gratiot, North of Hickey tabled on March 22, 2016.**

Mr. Miller stated that the applicant has requested that this be tabled.

Motion by Mr. Miller to Table Plymouth Village PUD # 2013-19 for up to two meetings.

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

- 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 tabled on April 26, 2016.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

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

Mr. Wagner stated a few weeks ago he was at the meeting and heard the comments from the public. He went through and summarized those remarks and what he found is there were five comments on the second access which he is sure will be discussed this evening. He mentioned that there were also three comments on flooding issues, two comments on traffic and two comments on resident's views about quality of life and fear of lower home values. He added that there was also one comment on fire suppression and one comments on lot size. He stated that he would respond to all these comments in that same order.

He explained that first of all regarding the second access, they are still proposing to suppress the homes with fire suppression on the west and north side of the bridge. However, they do want to make it clear that the developer is still pursuing a second access point. He explained that they do not have it today, but in lieu of that they are proposing to add the fire suppression to the homes on the other side of the bridge. He mentioned that, just today, they discussed an idea to add a driveway where it is indicated on the plans with highlighter for emergency access, that way if there is an emergency and they don't have the access it would be a short gap and if absolutely needed they could add something in that area. He stated that in their opinion regarding the bridge, there would be only a finite chance that the bridge would ever go out.

Mr. Wagner stated regarding the flooding issues, as the engineer who will be designing the flood water management system, this would be an easier issue for him to explain. He stated that Salt River Flats development has taken on water from the residents of the surrounding properties and they will make the system better with this development. They will be adding a series of detention ponds in accordance with Chesterfield Township's and Macomb County Drain Commissioner's comments that will be designed to manage the storm water. He explained that each of the detention ponds will have an outlet structure that will release storm water at a lesser rate that it is today; therefore, there will be less flooding in the Salt River after the development goes in. They have discussed this with the Township Engineer and he agrees with that assessment of the situation. Their plan would be to work through the matter further down in the engineering stage and implement the best storm water practices at that time. He mentioned about the storm sewer easement and that it comes from the Birch Grove Subdivision. He pointed out that is on their plans, by this sediment base, and it outlets to the Salt River. He mentioned that this easement is granted to Chesterfield Township and the Macomb County Road Commission and their proposal is to modify that easement and that outlet through the engineering stage with the Township and County. He stated that since the last meeting, they obtained more information about that pipe and where it goes. Their surveyors went out and located inverts and manholes and it does fall within that easement, so that is the storm sewer that they will be relocating through the development. He stated in the last few weeks, they did obtain drawings from the DPW showing that easement and what it does, therefore, they do have all that information available now.

Mr. Wagner stated that as far as traffic in the area, 23 Mile is under the jurisdiction of the MDOT and in order to get an MDOT permit to connect into 23 Mile Rd. at the engineering stage they will need to do a traffic study to get the permit to do that connection. He remarked that regarding the lot size, their proposal is to keep the lots at 80' wide as shown on the existing plan. He explained that this development would be phased due to construction loans and requirements for mortgages.

Mr. Wagner mentioned that the PUD agreement is in negotiations between the development's attorney and the Township attorney so those discussions, language and finalization are going on between those two attorneys. He stated that they have met with the Township Engineer twice last week to work through their comments and they agree with what they are doing on the property.

Public Comments:

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

Mr. Gendernalik made comments about his concerns with the size of the proposed lots and about the flooding and drainage issues that already exist in that neighborhood. He mentioned that the agenda states 163 lots, but the aerial plan shows 161 lots.

Mr. Alexie asked how close the developer was in finalizing a second access? He would like to see the second entrance or exit before they submit their final plans because sprinkling the homes is a big hassle.

Paul Esposito, 45489 Market St., Shelby, MI 48315 addressed the board.

Applicant stated that if they obtain that second access, they would not have to sprinkle the homes. If they are not able to obtain the second access, then they will have to sprinkle the houses. However, they have come up with a game plan where they would stub it to the very end of the property, so if there was ever an emergency, it was a life threatening situation, and the bridge was out, there would be about 60' of property they would have to go through in order to get into the subdivision. He explained that they are going to do everything possible to obtain that access, but they are still going to stub to the very end of the property line and do the best they can.

Mr. Alexie stated that personally he thought that getting the second access is one of the most important parts of the whole project. He explained that a second entrance or exit is important not just for fire, but for ambulances or whatever, would have to get in or out of there.

Mr. Meagher asked if the petitioner was indicating that as part of the PUD application they are going to stub that drive to the terminus that would be basically aligned with where the condominium currently is stubbed?

Applicant stated that he would show them on the print where in an emergency, they would have to drive over grass to get in or out if the bridge would blow up. However, the possibility that the bridge would go out is about 1 in 1,000,000 or 1 in 10,000,000. He explained that he was concerned about safety so they would lose a lot and stub the area. Obviously, they are still going to do anything possible to obtain that second access.

Mr. Meagher stated that he could not see it from where he was sitting and asked if that was where the condominium currently has a stub going between the two units.

Applicant replied that is correct.

Mr. Saelens asked if that would only be an emergency exit?

Applicant replied yes. He stated that no matter what he was going to stub it to their property line and if there is a life threatening situation, they would have to go over some grass to get to that point. He explained that on top of that they would still do the sprinkler systems too.

Mr. Meagher stated that if this was approved he believes that the Fire Department is going to require that those units on the other side of the bridge be sprinkled.

Applicant replied that was correct. He just wanted to make them aware that he planned to do both the sprinkling system and stubbing to the end of their property.

Mr. Saelens mentioned that it sounded like they were talking about multiple phases instead of just phase one and two.

Applicant explained that the way the banks operate today, when it is a condominium project, they require that the project be about 60 % sold out in order to sell off to secondary loans. He stated that Fannie Mae is going to require that if one phase has ten units, they are going to want five or six of them to be presold in order for it to be Fannie Mae approved. So in order for this site to sell out and meet all the guidelines with the mortgage companies, they have to split this into smaller phases. He thought Mr. Siebert has some knowledge on this matter.

Mr. Seibert replied that he did not.

Mr. Saelens asked so how many phases are they talking about?

Applicant stated that his goal is to develop this into two stages, but from a practical standpoint, in order to obtain a mortgage in today's society, there will probably be more like five or six phases.

Mr. Saelens stated that the site plan shows two phases.

Applicant stated that they are going to split that up. This whole thing was just brought to their attention yesterday with the bank.

Mr. LaBelle wanted to reinforce Jerry's comments. He is also very concerned about them obtaining a second access. He understands that the bridge isn't going to go out, but they are going to have to have a second access and he would feel terrible if something ever happened and he doesn't know if driving over the grass cuts it. So, he would really like to see another way of getting into that site.

Mr. Saelens stated that he seconds that.

Mr. Gendernalik made further comments about the access and that they would have to redo the condos in order to make this open space an easement. They would have to change the condo association set up and site plan to have them go through there.

Mr. Meagher stated that the Association would have to grant an easement, so he asked Mr. Gendernalik what is his point on that?

Mr. Gendernalik stated that they would have to redo the whole condo to make this open space an easement.

Mr. Meagher explained yes they would have to redo the Master Deed.

Mr. Gendernalik stated that from what they are saying the access would only be for emergencies.

Mr. Meagher replied that the applicant is stating that there is no easement.

Mr. Gendernalik stated but they are trying to get one, and it would only be for emergency access.

Mr. Meagher replied right.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. DeMuyndck

Ayes: All

Nays: None

Motion Carried

Mr. Miller stated as their normal procedure, the Commission waits two weeks to render a decision.

Motion by Mr. Miller to Table PUD #2015-14 Salt River Flats

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- C. **CONDITIONAL REZONING # 336, WITH SUPPORTING SITE PLAN: Dan Garneau for Cabela's Wholesale Inc., One Cabela Drive, Sidney, NE 69160. Proposed new Cabela's Outdoor Sporting Goods Store, located east of I-94, between Wm. Rosso Highway and 21 Mile Road, on the west side of Towne Center Blvd. Public Hearing set 4/12/16.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

Mr. Meagher explained that the Township Attorney and he have discussed at length as to how this could be handled tonight. They would like to handle this as two separate items. First the Commission should address the rezoning recommendation to the Township Board of Trustees which would be Rezoning #336. Then they would be looking on some type of action or approval on the site plan subject to the issues that are noted in the reviews or subject to variances for the ones that can't be met by the applicant.

Todd Sherlock, Real Estate Manager for Cabela's addressed the board.

Applicant stated that he brought several of his team members with him to explain the rezoning request which include: Ryan Lancour, the Civil Engineer with R. A. Smith, Chris Castern who is a Project Construction Manager in their Sydney Nebraska office as well as Nora Roberts who is the Floor Design Manager with their Sydney office.

Ryan J. Lancour, 2833 N. 75th St., Milwaukee, WI 52210 addressed the board.

Mr. Lancour stated that they were in front of the board to get the property rezoned to C-3. It is currently a PUD within the Town Center Development. He explained that the parcel is basically located north of M-59 between I-94 and Town Center Boulevard, which is currently a private road that runs to 21 Mile Road. He added that the site is approximately 10.6 acres in size.

Mr. Meagher stated that the commissioners all have copies of the plans and have all the information so maybe at this time they could take comments from the public and address any questions or comments.

Mr. Alexie commented that he did not remember voting to set the Public Hearing. He asked if it ever came up at a meeting?

Mr. Meagher replied no. He stated that when this came in there were a lot of questions as to how it should be handled and so forth. He explained that because of questions on procedures it was delayed substantially, so the Township staff set the Public Hearing and it was published in the paper. So it was done properly, it just wasn't done based on their normal process.

Public Comments:

Kimberly Bewersdorff, Selfridge ANGB, Harrison Twp., MI addressed the board.

Ms. Bewersdorff stated that she was the Real Property Expert from Selfridge ANG. She remarked that she was happy to see something happen on this because she has been involved with the numerous property owners from the time this was initially purchased with multiple proposals from the convention center to gas stations to the Market Place Mall, which she is not sure if that is off the table. They are just curious about the project and she has to take some information back. First of all they are talking about just rezoning their 10 acre site, but later in the legal description, it talks about 68 acres. She stated that having worked here, spot zoning is not one of those things that would be approved. If the whole site is manufacturing, she would expect that

a great portion of the site would be split, maybe the north portion would be manufacturing and the south portion would be commercial. She commented that they had no objection to any proposed rezoning until they cross a certain point there on property that would be considered in their APZO (Accidental Potential Zone One). She explained that they would be more concerned if that property would go to commercial use, just because of the density and potential for pedestrians or private parties being in the potential path of an aircraft, God forbid, if one ever goes down. So that is where they would be coming from. She stated secondly, they would like to know the height of the proposed structure because they have some concerns with the approach and landing of their aircraft when circling to come in or when they leave and circle to exit. They do not think this will be a problem, but they would be looking very closely at it. She stated that it looks like the project will be close to the Tucker drain for dewatering and that was fine. She explained that what they do not want to see is any more ponds and the reason for that is because these ponds tend to attract migrating birds and when they have them crossing from the lake to go land in a pond, bird strikes would be a primary concern. So they would be looking at that as well. She stated that they are happy to see Cabela's come into the community, but they will be keeping an eye on what goes on. She asked if 68 acres would be rezoned or just 10?

Mr. Meagher stated that at this time the applicants are only asking to rezone just the 10 acres. He mentioned that with regard to the issue of spot zoning, it is part of an overall PUD where the southern half of that property is either commercial or office, so it is clearly not spot zoning because it will be adjacent to other commercial.

Ms. Bewersdorff asked if this particular 10 acres was just stuck in the middle of zoning for manufacturing?

Mr. Meagher stated that it was zoned for office use between the commercial and industrial.

Ms. Bewersdorff asked if the southern portion of the property would all be zoned for commercial?

Mr. Meagher stated that he would assume at some point in time that would be the case.

Ms. Bewersdorff explained that they would be commenting or making recommendations on anything they see on the site plans that come across her desk. She mentioned that they do have information on their public website with regard to FAA circulars or ACUS guides at 127wg.ang.af.mil and that is what they will be basing their comments on.

Ms. Bewersdorff asked the height of the proposed building?

Mr. Saelens stated current elevations show it as being 48' tall.

Mr. Lancour explained that the building is going to be 48' tall at the highest peak at the center bay of the building and the rest of the building would be 28' to 30'. He explained that they have submitted the FAA permits for the building height and height of the light poles for review and it is a 45 day process that they go through. He stated that they should be hearing from them in a week or two. He mentioned that as for ponds, on this site when it was developed there were ponds that were already built. So there will be no additional ponds created so only the two ponds that currently exist will remain and they are tying them into an existing infrastructure in Town Center Boulevard.

Mr. Gendernalik asked where the 10 acres were located on the property?

Mr. Meagher showed a plan and indicated the location of the property.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Motion by Mr. Miller to recommend that the Township Board rezone the property to C-3.

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

Motion by Mr. Miller to open the Public Hearing on the Site Plan.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Mr. Lancour stated that the Site Plan packet shows their parking layouts, outdoor storage at the back of the building, their outdoor display along the front access, they show examples of the directional signage that is placed in the development. He went on to explain that the plan shows the location of their fencing for not only storage, but where they hide their outdoor generator and the small retaining wall and all these have been included on the site plans. He stated that they will also have a flagpole out front and their parking stall are 9' x 19', not 9' x 20'. He commented that they would like to keep that which they know would be a variance. He explained also that their light poles on the property are 35' tall and they require special approval up to that height. He was just pointing somethings that would be a-typical that are Cabela's properties. There would also be a truck dock in the back that would be screened with cedar fences.

Mr. Alexie stated that this store that they are building seems to be a lot smaller than the normal size Cabela's store.

Mr. Lancour stated that he assumed he was talking about the store in Dundee.

Mr. Alexie replied correct.

Mr. Lancour explained that when they built the store in Dundee in the mid 2000's those were called destination stores. Those stores are all 100,000 to 200,000 square feet. Obviously the economy has changed and people are not doing as much traveling to these destination stores any more. He stated that actually this 90,000 square foot print is the larger size for the newer Cabela's stores that they are currently building.

Mr. Saelens asked what they referring to as an outdoor display?

Mr. Lancour replied that would be something they display seasonally. When it is close to hunting season they may have a bow stand outside, in the winter they may have portable ice shacks out there and there is usually a rack of kayaks suspended under the canopy. He explained that there would not be bulk goods or pallets of items to be sold.

Mr. Saelens asked if the length of the building is always full of something?

Mr. Lancour stated that it is not full, but there are things displayed. He explained that it would not look like when you go to a home improvement store out lot where they have pallets with items on every square inch of their property. It would be more like when you are going into their store and looking at their lawn furniture. There is space between it where you can actually look at it. The displays are done in very good taste.

Mr. Lancour had boards available and showed the Commissioners an example of what the displays would look like.

Mr. Miller asked if the store would have a river that runs through it like in Dundee?

Mr. Lancour replied no this store will not have any rivers, ponds or any outdoor features. It is a different type of store now.

Mr. LaBelle stated that they have been looking at boat stores or trailer stores. He mentioned that in Dundee, Cabela's sells boats and things of that nature and asked where the overstock would be stored?

Mr. Lancour stated that they would be a 90,000 square foot store without boats. They will not be selling boats and their storage area is small, in fact that was one of the comments from the Township engineers. He explained that there may be ATV's stored in that area, but there are no boats at this store.

Mr. Saelens stated that the Township has an ordinance prohibiting outside sales.

Mr. Lancour stated that is one of the variances that they would be seeking. They would just be putting some things in a defined area; there would not be anything stored in the parking lots; it is just a display area.

Mr. Miller mentioned that the Township also has an ordinance requiring 90% brick or better. He asked how they felt about that?

Mr. Lancour replied that currently the building is precast with panels and the depiction the Commissioners are looking is the typical front of the store. He stated that they are asking for a variance from the 90% because they feel the building is very high quality with the stone pilasters, the wood and the architectural detail.

Mr. Saelens asked the percentage of brick or better they would be looking at?

Mr. Lancour stated that they did not have an exact percentage that they would request. He guessed they could figure that out.

Mr. Leonard asked the percentage of brick or stone would be on the building they are showing?

Mr. Saelens guessed it would be about 10%.

Mr. Lancour thought it would be closer to 20% and the rest would be precast and wood.

Mr. Stabile commented that they would sure like to work with Cabela's on this but they would sure like to see better than that.

Mr. Lancour stated that their intent was to submit a 90,000 square foot prototype store that matches the aesthetics and the design intent that Cabela's has had to maintain the integrity and image of the store and that is their baseline they submit for their stores.

Mr. Leonard stated instead of brick, would there be any way to include a little more of the stone look.

Mr. Lancour replied that he is sure there is.

Mr. Saelens stated that the stone would be part of the brick or better.

Mr. Thomas Guastello, 34120 Park, Birmingham, MI addressed the board.

Mr. Guastello explained that this building would be the typical Cabela's and it is a very large building so there will be a lot of stone and what they think are attractive architectural features. He stated that the building will carry forth that feel of the outdoors. He mentioned that they would be working closely with the Planner and they would be putting in some beautiful landscaping around the area. It will be a major attraction, not only to their development but for this entire community and region.

Mr. Leonard commented that he did not think the board was looking for a total revamp of the building so it looks like Walmart, but they would like to see a little more of the stone.

Mr. Guastello stated let us see if they can come up with something before the next presentation, maybe further showing an impact of what can be done with the elements.

Mr. Leonard asked how many Cabela's are in place at this time?

Mr. Lancour replied that there are currently 81 Cabela's in the United States and Canada.

Mr. DeMuyneck asked how many Cabela's are in Michigan?

Mr. Lancour answered there are two.

Mr. DeMuyneck stated that one is in Dundee. He asked the location of the other Cabela's store?

Mr. Lancour replied it is in Saginaw.

Mr. Guastello stated that when they first looked at this area, they started working with Mark Hackel and John Paul Reya and with being local and growing up in the area, they started looking at data. They discovered that 60% of the hunting licenses, 60% of the fishing licenses and 60% of the boating licenses are within a one hour drive of Chesterfield Township, right on the corner of Hall Road and I-94 and that is not counting our Canadian brethren who would love to shop in this area. We feel this will be a big blockbuster, not only for Cabela's but for the Chesterfield Township community.

Mr. Miller asked how many people would a store of that size usually employ?

Mr. Lancour replied about 150 people.

Mr. Guastello stated that this store will be the ignition to a lot of other things coming into the area. He has spoken to a number of officials at a convention for the international conference of shopping centers and they have a whole booth there and they are displaying Cabela's. He mentioned that they have a theatre that has signed a deal based on Cabela's being there along with a couple of other major retailers. They will have anywhere between a quarter million to a half million of retail by year end. He stated that the good thing about the site is that it is big and is actually bigger than Great Lakes Crossing.

Mr. Stabile stated that he would like to address the amount of wood on the building. He knows that Cabela's has a look for store and he knows the Township has a 90% ordinance of brick or better. He realizes that the Commission will be working with them on some of this, but it particularly bothers him that the bottom area at the walking level is just wood; it would sure be nice to see something hard over there.

Mr. Guastello stated that they would have time to take a second look at and see if there was some way to accommodate the Commission on some of these matters.

Mr. Stabile stated that they are always concerned about what will happen to that wood or efface area over the years.

Mr. Guastello replied there again they are dealing with the aesthetics and the brick and on the other hand how can they make this look like something out of a Northern Michigan experience and something that says hunting, fishing and wildlife; and he is sorry, but that is wood.

Mr. Saelens added and stone.

Mr. DeMuyndck asked if the representatives from Cabela's had a list of the variances they would be requesting at this time?

Mr. Meagher stated that there was a list by AEW and a list from his office and Cabela's will either have to address those concerns or get variances. He explained that in some instances they can address them quite easily, like the 19' parking spaces. They may attempt to get variances or make some quick amendments or changes to the plans.

Mr. Gendernalik stated that he represents a local boat dealership and Cabela's mentioned that they would not be selling boats at the store. He asked since this was a conditional rezoning would that be part of the conditional rezoning agreement?

Mr. Meagher stated that was not a condition that was offered and it is a retail decision. If they wish to put that as a condition that is up to them, but the Township cannot ask them to put that as a condition.

Mr. Gendernalik stated that if they would be a boat dealership, that would be part of the site plan.

Mr. Meagher stated that they have not asked for any boat sales outside with the exception of the kayak rack.

Mr. DeMuyndck stated that there are no new boat dealers in this Township.

Mr. Gendernalik stated that it is an adjacent community and they have a concern.

Mr. Seibert addressed the Chairman and stated that the Commission has already made their decision on the rezoning to C-3 and there were no conditions, so this is old news and now they are simply talking about the site plan.

Mr. Miller replied that is correct.

Motion by Mr. Miller to close the Public Hearing on the Site Plan.

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

Motion by Mr. Miller to approve the Site Plan for Cabela's Wholesale Inc. subject to them addressing the concerns of AEW and Community Planning and subject to the Township Board approval.

Mr. Seibert stated that he should also include that to the extent if they need any variances they need to go to the ZBA and the record should reflect that. He stated that they may or may not after they sit down with the Engineer and the Planner, but at the end of the day, there are improvements on the site that would require ZBA approval.

Mr. Meagher stated that he thought that it was his intention when Mr. Miller mentioned subject to the Planners and Engineers concerns being addressed.

Mr. Seibert stated to appease him, just indicate that if variances are required they would have to go to the ZBA because neither the Planner or Engineer have the authority to grant variances, but maybe they can work with Cabela's to get around some of the issues.

Mr. Stabile asked where would all that fall with the requirements to use hard material?

Mr. Seibert replied that if that is a requirement of the zoning ordinance, the Planning Commission does not have the right to bury the ordinance, so they may come in with an elevation that would convince the Planner or the Engineer or both that they satisfied that requirement.

Mr. Stabile stated that his concerns would not be to add that much more stone, but they have always been concerned about areas under a person's height getting beat up.

Mr. Seibert explained that if the ordinance requires it they will have to comply, but there may be another way to address that issue when they get into the actual construction. If there is not, they will have to go in front of the ZBA and request a variance.

Mr. Alexie asked if they should just Table this?

Mr. Seibert stated that is an issue that the consultants or the ZBA can address.

Mr. Miller added to the Motion that if any variances are required, the applicants must go to the ZBA for approval.

Supported by Mr. Leonard

Ayes: Miller, Leonard, LaBelle, DeMuyneck, Stabile, Eckenrode, and Moran

Nays: Saelens and Alexie

6. **REVIEWS:**

A. **SPECIAL LAND USE # 2015-16: Nicole Goemaere, 52417 Robin's Nest, Chesterfield, MI 48047. Proposed day care located at the above address.**

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

Mr. Gendernalik stated the applicant has six children in her day care at this time. He explained that she applied to the State for up to twelve children and was approved through the State for that Special Land Use. At this point, she is in front of the Planning Commission to get permission to have up to twelve children in her day care. He then showed the Commissioners the location of the applicant's home on an aerial photo. He made some additional comments that were inaudible.

Mr. Gendernalik stated that when they were in front of the board before and there was no action taken because the motion did not get a majority vote. So, they are asking for the Commission's approval for the Special Land Use for her day care to have up to twelve children in that residence.

Motion by Mr. Alexie to approve Special Land Use #2015-16 for Nicole Goemaere, 52417 Robin's Nest, Chesterfield, MI for the proposed day care at the same address for up to twelve children in her home.

Mr. Stabile asked for a discussion on the matter. He stated that at the time there was discussion on why the day care should or should not be there and it was a tie because the full board was not present at the meeting, so he thought there should be a discussion with the full board present.

Mr. Meagher stated that evidently someone thought there was no necessity for discussion since they made a motion.

Mr. Miller asked Mr. Alexie if he wanted to rescind his motion so the board could discuss the matter.

Mr. Alexie rescinded his motion.

Mr. Stabile stated that he spoke against the motion at the time. He is in favor of child care up to six children in the home, but when talking about twelve children even neighbors who stated that they were okay with it, really were probably not. In addition, there is a whole lot of commercial property out there where this type of business would fit better. His main concern was that the facility did not have a bathroom on the bottom floor and he was told that was not necessary, but in his opinion that is a negative on this particular set up. So he personally would not be in favor of granting this and he would urge everyone not to vote for it.

Mr. Saelens stated that he agreed with Joe and thought it was a safety issue in a residential neighborhood with all the cars and children running around. He agreed that there is plenty of commercial space where this would be better suited.

Mr. Alexie remarked that it has been approved by the State.

Mr. Saelens answered that he understood that, but common sense tells him this is not the proper place for this type of business.

Mr. DeMuyneck stated that everybody has their own opinion on this board and he disagrees with certain phone calls that were made to certain members regarding this issue and there should not be any outside influence.

Mr. Stabile remarked that he did not get any phone calls.

Mr. DeMuyneck replied that he knew that and he was not going into details, but there are nine people on the Commission and the decision should be based on each person's own opinion.

Motion by Mr. Alexie to approve Special Land Use #2015-16 for Nicole Goemaere, 52417 Robin's Nest, Chesterfield, MI for the proposed day care at the same address for up to twelve children.

There was no Support for the Motion and the Motion died.

Motion by Mr. Saelens to deny Special Land Use #2015-16 at 52417 Robin's Nest, Chesterfield, MI for the proposed day care.

Supported by Mr. Stabile

Mr. Saelens stated that the reason for denial is that it does not conform to the amount of parking that would be needed and the Township ordinances do not allow personal businesses to operate in a residential neighborhood.

Mr. Stabile continued support.

Mr. Miller asked the Recording Secretary to poll the board.

Ayes: Saelens, Stabile, Miller, LaBelle, DeMuynck, Leonard, and Moran

Nays: Alexie and Eckenrode

Motion Carried

B. SIGN REVIEW #2016-41: Elite Ink, 33157 23 Mile Road, Chesterfield, MI 48047. Proposed new wall sign located in the Bayside Mall at the above address.

Mr. LaBelle has request to make some changes to their submission.

Motion by Mr. LaBelle to Table Sign #2016-41 up to two meetings.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

C. SIGN REVIEW #2016-42: The Everset Group, 22531 Milner, St. Clair Shores, MI 48081. Proposed temporary sales sign for Lottivue Riverside Residential Condos, located at Jefferson & AuSable Drive.

Mr. LaBelle stated that by Township ordinance, temporary signs be only 8' tall and this sign is 12' tall.

Joe Carter, 22531 Milner, St. Clair Shores, MI addressed the board.

Mr. Carter stated that he was told the sign could be 12' tall. They gave him an application with the sizes.

Mr. Labelle stated that a permanent sign can be 12' but a temporary sign can only be 8'. He stated that if the applicant was willing to comply with that they could approve it tonight.

Mr. Meagher stated that the app must have gotten some bad info. He asked the applicant if he would agree to lower the sign to 8'

Mr. Carter remarked that he guess he would have to change it.

Mr. LaBelle stated that the applicant has agreed to lower the sign to 8' in total height.

Motion by Mr. LaBelle to approve Sign #2016-42.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

D. SIGN REVIEW #2016-43: The Everset Group, 22531 Milner, St. Clair Shores, MI 48081. Proposed temporary sales sign for Lottivue Riverside Residential Condos, located at Hooker & Manistee Drive.

Mr. LaBelle stated that the applicant has agreed to lower the sign to 8' in total height.

Motion by Mr. LaBelle to approve Sign #2016-43

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

E. SITE PLAN APPLICATION # 2016-09: John Kapousis, G & T Auto, 54525 Gratiot, Chesterfield, MI 48051. Engineering modifications to approved SLU # 2015-10 for an outdoor storage yard. SLU approved on 9/22/15.

Mr. LaBelle stated that the applicant has received the report from AEW and Community Planning Management.

John Kapousis, G &T Auto, 54525 Gratiot, Chesterfield, MI 48051 addressed the board.

Applicant stated that he was there to hear any comments by the board.

Mr. LaBelle stated that the applicant received the report from Community Planning Management and asked him what exactly is going on here.

Applicant stated that he was in front of the board last September and at that time AEW informed them that they wanted the whole site laid out. They were going to leave the front as an industrial park and they had their engineer lay it out as such. AEW wants to know what the buildings are for. He stated that they are buildings that they plan to lease out to whatever types of businesses would be approved for that area.

Mr. Meagher stated that they have worked with John before and he wondered if it might be beneficial if the applicant and his engineer, himself and Gordy Wilson from AEW all sat down and ran through the plan to get the details. He explained that he did not see anything wrong with the plan; he just thought they could get together and work out some of the details.

Applicant agreed and he thought that was a good idea.

Mr. Saelens stated that he noticed on the building elevations that there was brick on one side and a lot of metal siding and a lot of stained concrete block.

Applicant stated that it is split face block with the contour and it is pre-colored.

Mr. Saelens made the comment 90% brick or better.

There was a discussion about the materials that were to be used.

Motion by Mr. LaBelle to Table Site Plan #2016-09 for up to three meetings.

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Motion by Mr. Miller to approve the meeting minutes from April 25th and 26th

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: None

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

Mr. Alexie stated that the new sign ordinance is coming out in August where the signs have to be 12' or smaller. The businesses have had 10 years to comply and he was thinking maybe the Township staff could send out notices or put an ad in the paper reminding the businesses that this is an ordinance that has to be followed. Secondly, he mentioned that at the last meeting the Commission approved an Administrative Request for RJ Logistics. They came in front of the board and stated that they wanted to park 10 trucks at their facility. Friday, he drove by there and they had 16 trucks parked at the property. He remembered that someone asked if they would be repairing vehicles on the premises and the Commission was told no. However, he took some pictures and they were doing a brake job on one of the trucks. There are trailers and some of the trucks are parked on the other side where they were not supposed to be parking anything. He wanted to bring this up right away so that code enforcement can do something about this.

Mr. DeMuynck remarked that they just approved the Administrative Request just two weeks ago.

Mr. Meagher stated that they are in violation so hopefully they can be issued a notice of violation.

Mr. Alexie stated that he took pictures of the 16 trucks, the repairs and the trucks parked in the wrong area.

There was a discussion about violations of the ordinances in the Township.

Mr. DeMuynck stated that Mr. Alexie should write it up on a complaint form with the pictures and hand it over to Mr. DeMaster.

Mr. LaBelle asked for volunteers to attend the next preplanning meeting on May 24, 2016

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

Mr. Saelens also agreed to attend the preplanning meeting.

Mr. Miller stated that the reason Cabela's is coming into the community is because of Janice Giese. He mentioned that Cabela's was going to put up their store in Port Huron and Janice wrote them a letter and told them to check out Chesterfield Township.

Mr. Meagher mentioned that Janice also sent them the demographics and so forth.

Mr. Miller thought it would be nice jester to put that information into the minutes so she can see that.

Mr. Saelens remarked Hats off to her!

The Commissioners all agreed that they appreciated Janice's efforts and that Cabela's will be a great asset to the community.

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