

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

May 24, 2016

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, May 24, 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
James Moran
Ray Saelens

Absent: Frank Eckenrode, *excused*

Others: 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

6. **REVIEWS:**

- A. **SPECIAL LAND USE #2016-08: PGA Marine Fiberglass Repair & Refinishing, 32393 Lakepoint, Chesterfield, MI 48047. Proposed gravel parking area located on the south east corner of Jefferson and Lakepoint for existing Water-front use tabled 3-22-16 for variance approval.**

Gary Gendernalik, 52624 AuLac, Chesterfield, MI 48047 addressed the board.

Mr. DeMuynck stated that the Commissioners read the reviews from the ZBA.

Petitioner stated that they got the variances they requested with the ZBA. He commented that looking at Mr. Meagher's comments, he was not sure if they got his revised plan.

Mr. Miller stated that the revised plans they have is dated April 23rd.

Mr. LaBelle asked if that was the date on Mr. Gendernalik's revised plan?

Petitioner replied yes. He explained that they got the variance in reference to the gravel parking lot. He mentioned that they got the approval from the last meeting for the decorative fence on Jefferson and that is in the minutes from the last meeting. He also mentioned that they would be putting evergreen trees and ornamental pear trees across the front and pointed out that there would be a cyclone fence where it matches the existing fence. He mentioned that they got permission previously from the drain office to tie into their drainage system and the detention is on the plans so he does not feel that should be an issue.

Mr. Saelens stated that AEW is mentioning that detention is required.

Petitioner replied that they have detention here and here pointing to the plans.

Mr. Saelens asked so AEW has seen that?

Petitioner replied yes and stated that he thought they met their requirements, obtained the variances and added that additional screening.

Mr. Miller stated that they thought the fence would go back to the back of the parking lot and they wanted the shrubs moved back so if they put a sidewalk in, they will not have to remove all of that landscaping.

Petitioner replied that in conjunction with that originally they had the fence over here and Patrick suggested that they move it back ten feet which they did. He stated that as he understood it, Mr. Meagher was satisfied with that. He mentioned that the landscaping is on their side of the fence. He pointed out the 120' right of way.

Mr. LaBelle asked doesn't the right of way go all the way to the edge of the parking lot?

Petitioner answered no and pointed out the right of way on the plans. He mentioned that they would have the decorative fencing and the landscaping on the inside of the fence and then there would be a grassy area and then the parking lot.

There was a discussion among the board and Mr. Gendernalik about the location of the fence and the landscaping.

Mr. Palin stated that he thought even at the last meeting that they had it in there for the fence to meet the setback and that makes sense for every reason. He mentioned 1. They would be meeting the setback, 2. The fence would be inside the landscaping screening and 3. It would save on fencing and that would benefit everybody.

Mr. LaBelle verified that Mr. Palin meant to bring the fence back to the parking lot.

Mr. Palin replied exactly.

There was further discussion among the board and Mr. Gendernalik about the location of the fence and the landscaping.

Mr. Saelens mentioned that they wanted decorative fencing everywhere but the back of the property.

Petitioner stated that at the last meeting Mr. DeMuynck stated so the simulated wrought iron would only be along Jefferson. He passed a copy of the minutes with the comment from 3/22/16 meeting to the Commissioners.

Mr. DeMuynck stated that the Commission did not vote on putting the decorative fencing only on Jefferson that was simply a comment verifying what the petitioner was requesting.

Mr. Miller agreed that was just a comment.

Mr. Leonard remarked that it was just a clarification.

Mr. Saelens stated that they would like to have the wrought iron fence also from Jefferson to the neighbor's lot line.

Mr. Stabile commented that this would not be the only one because the whole Master Plan is based heavily on those decorative wrought iron fences everywhere along those marinas.

Petitioner stated that plan is not in effect right now.

Mr. Miller also mentioned a boat out there with a sign on it advertising the business that was not approved.

Petitioner commented that is the owner's boat.

Mr. Miller asked if it was operational?

Petitioner replied yes.

Mr. Stabile asked if the boat has ever been moved?

Petitioner replied not too often. He stated that it is like when you go down Sugarbush and there is an old guy who has a car parked in front of his house.

Mr. DeMuyneck stated that they would like him to move it because they got a call because of the sign on top. It would be considered a double sign under the code.

Mr. Leonard remarked that at the ZBA meeting Mr. Gendernalik mentioned that he did not like the grass and he noticed that there was none on the plans now. He stated that for accents, it would look nice, but the picture that Gary showed with one big swath of high grass did not look attractive.

Mr. Miller also mentioned that they might want to consider a few more arborvitaes instead of all the pear trees.

Petitioner mentioned that they do not want to put too many trees in front of the business, because no one will see it any more.

Mr. DeMuyneck asked if the fence would be going where it shows on the print?

Mr. LaBelle stated that it would be going to the edge of the parking lot.

Petitioner explained that they do not want to put the fences right to that edge because somebody might back into it. He explained that it is 25' wide so if they put it back 15', he will have 15' of evergreens, the fence and 10' to where the vehicles are. He thought there should be some kind of buffer from where the parking ends...

Mr. LaBelle asked if when they make the motion, did he want to keep it 3' from the curb?

Mr. Saelens thought 5' was reasonable.

Mr. DeMuynck asked if there would be a curb in there?

Mr. LaBelle stated no, he meant to the edge of the parking lot.

There was further discussion among the board and Mr. Gendernalik about the location of the fence.

Motion by Mr. LaBelle to Table this SLU #2016-08 to give the petitioner an opportunity to update all the changes that they discussed because he does not feel comfortable voting on this application this evening because there are a lot of changes that just happened.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

B. 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 tabled on April 26, 2016.

Mr. LaBelle stated that the applicant turned in a revised ground sign that still did not meet the Township ordinance. However during the pre-planning review, the applicant gave a copy of the new proposed ground sign lay out which does meet the PUD requirement and does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign #2016-34 based upon the new drawing that was given to them this evening.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- C. 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 tabled on April 26, 2016.**

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

Motion by Mr. LaBelle

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

- D. 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 tabled on April 26, 2016.**

Mr. LaBelle stated that the applicant has an extra sign in the applications. He explained that because the business is currently on three different streets, he would be making a motion to allow for the third sign because the business location is on three different streets.

Motion by Mr. LaBelle to approve Sign #2016-36

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

- E. **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 tabled on April 26, 2016.**

Mr. LaBelle stated that this is the sign that faces Walmart and has been reduced to 50%.

Motion by Mr. LaBelle to approve Sign # 2016-37

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- F. **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 tabled on April 26, 2016.**

Mr. LaBelle stated that the applicant has pulled this sign from the agenda.

Motion by Mr. LaBelle to remove this sign from the agenda

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- G. **SIGN REVIEW #2016-39: Metro Detroit Signs, Inc. 23544 Hoover, Warren, MI 48089 Proposed new directional signs located at 45160 Market Place Blvd. for Culver's tabled on April 26, 2016.**

Mr. LaBelle stated that the directional signs do meet the Township ordinance.

Motion by Mr. LaBelle

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

H. SIGN REVIEW #2016-41: Elite Ink Tattoos, 33157 23 Mile Road, Chesterfield, MI 48047. Proposed new wall sign located in the Bayside Mall at the above address for Elite Ink Tattoos tabled on May 10, 2016.

Mr. LaBelle stated that the applicant asked them to table it last time because he wanted to include a halo behind the sign. The applicant also drew some red lines on the windows and they do not know what he is referring to.

Motion by Mr. LaBelle to approve Sign # 2016-41 for only the new signage, but not the LED around the windows.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

I. SIGN REVIEW #2016-44: Ed Genord for Prototech Laser, Inc., 46340 Continental Drive Chesterfield, MI 48047. Proposed new wall sign located at the above address for Prototech Laser.

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

Motion by Mr. LaBelle to approve Sign #2016-44

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

J. SITE PLAN #2016-12: Eric Dietz for MedExpress Urgent Care Medical Office, 34875 23 Mile Road Chesterfield, MI 48047. Proposed 4,872 square foot medical building on the north side of 23 Mile, west of Altman Road.

David Eberhard, 45000 River Ridge Drive, Ste. 300, Clinton Twp., MI 48038 addressed the board.

Mr. Eberhard stated that they just received the comments from the Planner and the Engineer this evening and he stated that he would spend some time going over those comments and addressing some of them.

Greg Kowalski, 8851 Kind Dr., Pittsburgh, PA 15237 addressed the board.

Mr. Kowalski stated that he would first address the concerns from Community Planning. #1. The site plan shows the proposed building is located within the 40' side yard setback. He stated that they are going to ZBA for a variance on that. He stated that #2 concerned the cut out at the throat of the egress and CPM stated that it should not be counted as a parking space. He stated that they never intended this as a parking space and in discussion with the township engineer, they were informed that they had to use all the existing drainage features at the site. Therefore, they will get together with Aseel concerning this matter. He remarked that #3 is about the arborvitaes used for screening and they plan to space them 4' to 5' on center. He explained that they have no problems with the evergreens at the rear behind the maples at the back of the parking lot as mentioned in #4. He mentioned Mr. Dietz will address #5. He further stated that #6 the sidewalk along 23 Mile Road would interfere with their landscape plan and he wondered if it could be move.

Mr. DeMuyck stated that would be something the applicant would have to discuss with Engineering.

Mr. Kowalski stated that #7 the asphalt area between the front lot line and the curb for 23 Mile shall be removed and replaced with sod. He explained that was not a problem and they planned to comply with that. His additional comments were inaudible because he walked away from the microphone. He mentioned that the second set of comments they received were addressed to Sherri. He stated that again for #1 they already have applied for a variance. #2 he mentioned they already discussed and they would install the arborvitaes to help with that. He stated that regarding #3 the drive approach, he understands they would have to address that because currently it is 35'. He commented that they understand and will comply with #4, #5, and #6. He mentioned that #7 was noted by the surveyor and during review of the Federal Wetland Maps do not identify any wetlands in that area. He added that he was not sure about #8 site's sign shall not be within any utility easements. They are not aware of any easement in that area.

Mr. Palin stated that would be another thing that would have to be discussed with Engineering.

Mr. Kowalski mentioned the Engineering concerns #1, #2 and #3 on page two were all things they would discuss with Aseel. He stated that #4 would be addressed by Mr. Dietz and regarding #5 they do not have any issues with adjusting the pavement thicknesses.

Mr. Saelens state that typically we get these comments from the Engineers and they base their approval on their comments.

Eric Dietz, 370 South Pointe Blvd., Suite 100, Canonsburg, PA 15317 addressed the board.

Mr. Dietz stated that he is the senior architect and designer for the project. He mentioned that in regard to the letter from CPM item #5 which states 90% brick or better; he explained that the proposed material is a fiber cement brick panel that has the whole brick and mortar impression. Therefore, it mimics the actual brick pattern and there will be no visible joints because there is a male/female end clip.

Mr. LaBelle stated that he should talk to the Commissioner who is the owner of a Masonry Company right there.

Mr. Saelens asked if the petitioner had a sample of the panel?

Mr. Dietz replied no.

Mr. Saelens stated that the way he read the site plan, they were going to be using a siding.

Mr. Dietz stated that it is a fiber cement siding material.

Mr. Saelens remarked that is not brick.

Mr. Dietz agreed that it is not brick, but it is a fiber cement material that mimics bricks.

Mr. Saelens stated that they could use stone, brick, field stone, but the building should be brick or better, and the brick panels are not better than brick.

Mr. Dietz stated that if the fiber cement material is not an approved material, he would not have a problem using brick material. He then mentioned the Engineering Concerns from AEW about Fire Department approval that is required for the number, sizes and locations of fire suppression lines. He explained that going through the International Building Code, the size and use of the building. would not require the building to be sprinkled. He did mention that the Fire Department stated that they would have to go across 23 Mile Road to bring the fire hydrant over closer to the building.

Mr. Saelens reiterated that typically we get these comments from the Engineers and they base their approval on their comments. He suggested that they table it until the applicants revise the plans with the elevations.

Mr. LaBelle also stated that he would like to table it because there are a lot of concerns on this that he is not comfortable with.

Mr. Eberhard commented that they have to get two variances on this with the ZBA; one concerning the side yard setback from 40 to 10' and there is also a screening issue.

Mr. Saelens suggested that they Table it until they get approval for the variances from the ZBA.

Mr. Eberhard mentioned that they are scheduled to go in front of ZBA on June 15th and at this point they are trying to decipher if there will be other variances relating to parking, but obviously they do not know that until they work it out with engineering. He asked them if they could approve the application on the fourteenth knowing conditionally that they might get approval from the ZBA on the fifteenth.

Mr. Saelens stated that he would like to see this in lieu of what is on the property now and they are not trying to give them a hard time but they have ordinances and must follow procedures.

Motion by Mr. LaBelle Table Site Plan #2016-12 for up to six weeks.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Mr. Gendernalik came back up in front of the Commissioners to verify everything. He stated that the items he listed from the discussion that they need to address is #1 remove the boat at the front of the property. #2 on the Jefferson street frontage move the fence back 20' from the right-of-way line. #3 The landscaping would need to be in front of the fence. #4 on the M & M Sports side the wrought iron fence would be brought back to where it would tie into the existing cyclone fence of the neighbors. #5 On the Lakepointe side the frontage would have the simulated wrought iron fence across the entire frontage back to the existing fence. #6 The landscaping that they submitted was sufficient and would stay in that location and on the Lakepointe side the landscaping would be here and he pointed to the plans.

Mr. Leonard asked if Mr. Miller asked about including arborvitaes in the landscaping?

Mr. Miller asked if they could put in six arborvitaes. He stated that these lower trees can stay, but they would like some taller arborvitaes in the back and pointed out the areas where they should go on the plans.

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

Motion by Mr. Miller to approve the meeting minutes from May 10, 2016

Supported by Mr. Alexie

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 brought up R.J. Logistics and stated that they have even more trucks parked over there and he already filed a complaint with Mr. DeMaster in the Building Department.

There was a discussion among the Commissioners as to what to do about this problem.

Mr. DeMuynck commented that he would bring up the matter with Mr. DeMaster.

Mr. LaBelle asked for volunteers to attend the next pre-planning meeting on June 14th.

Mr. Leonard and Mr. Alexie both agreed to attend that pre-planning meeting.

13. PROPOSALS FOR NEXT AGENDA.

There were no proposals for the next agenda.

14. ADJOURNMENT

Motion by Mr. Miller to adjourn at 7:57 PM

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary