

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

July 12, 2016

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, July 12, 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
Ray Saelens

Absent: Frank Eckenrode, *excused*
James Moran, *excused*

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

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:**

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 May 10, 2016.**

Mr. Meagher stated that the public hearing was closed at a previous meeting, however it may help them to hear some comments from the public to get any new information and he knew there was some dissent on the matter.

David Averitt, President of the Plymouth Village Condo Assoc. addressed the board.

Mr. Averitt stated that they have not come to any agreement with the developer. He explained that they have issues with the layout of the homes. He claimed that every time they would come to an agreement, something always gets changed.

Mr. Saelens asked if it was always their side that makes the changes and not your Association?

Mr. Averitt replied correct. He claimed that they have a large folder of documentation from the builder and they only received the newest paperwork on July 8th and the floor plans are not what they are wanting for or agreed on for these homes.

Mr. Meagher stated that obviously the Commission wants to hear the concerns of the Association. However, at some point when this reaches all the requirements of the ordinance and is ready to be approved they are not going to have much to say. He explained that their approval is based on the ordinances and he understands that the Association has some type of legal issues that they are working with.

Mr. Averitt stated that according to the by-laws, there is a must build plan that the builder wants to change and that is something that has to go through a 2/3 majority vote of the entire community to allow it to go through.

Mr. Meagher just wanted to distinguish the two different responsibilities of the Planning Commission and their Association. They are not trying to approve something that the Association is not happy with, but at some point when all the requirements are met; it does have to be approved by the Planning Commission.

Philip Leone, 49212 Van Dyke, Shelby, MI addressed the board.

Applicant stated that he was the owner of the project. He explained that he has been working with the association and they are happy to do whatever it takes. They are building 1500 square foot ranches and he does not know what the problem is and this is all new to him tonight. He mentioned that if a wall changes, he does not think it is a big deal. He stated that a building envelope is mapped out in all the drawings and they plan to build within the size of the envelope. He remarked that just because they are making a little enclosed loggia, he does not see how that is a big deal. It is what people want today. They are trying to develop a nice community for persons 55 and older, everything would be handicapped accessible. He reiterated that he did not know where this came from tonight and he believed they were all good to go. He stated that he will do whatever they want; they want happy neighbors. He thought the only thing they changed was to put a roof over the porch. He reiterated that he would work with the association and it is written in the by-laws that they have to approve the plans. Therefore, it has to go through that process anyway, and he hoped this would not affect the Commission's decision tonight on moving this project forward. He mentioned that it has been three years that they have been struggling to get this going and every time they seem to get it going, it seems like they are trying to stop the project from happening. He stated that it is getting old now.

Mr. Stabile asked Mr. Meagher why they were getting involved in the floor plans, is this something they are considering because of their charter?

Mr. Meagher explained that it was part of the PUD process. He added that in a normal subdivision, they would not be doing this.

Mr. DeMuyneck stated that there were also a few engineering concerns from AEW that he noticed.

Mr. LaBelle stated that it was brought up if there was a roof added on a porch, it was a small change. He stated that would affect their decision and it could affect the drawings.

Mr. Meagher commented that if the changes affect the drawings, the applicant would have to come back.

Mr. Saelens stated that now is the time to get the drawings correct

Mr. DeMuyneck brought up the engineering concerns and he thought that they all needed to be addressed before they make any type of decision on the PUD.

Mr. Meagher asked the applicant if he had received the list of the engineering concerns from AEW?

Applicant stated that he had not received paperwork from AEW. He explained that he was aware that they made some comments on previous paperwork but nothing with changes.

Mr. LaBelle asked the applicant if he had a chance to review the comments from AEW that he handed him just before the meeting?

Applicant replied that he did not have a chance to go over them. He stated that his engineer had informed him there were a couple of comments from the Township engineers and he is not sure if they are just small minor issues.

Mr. Saelens remarked that there are two pages of AEW's comments.

Applicant reiterated that there are comments, but he does not think there are any changes to be made.

Mr. Meagher stated that he just received them tonight and he was not familiar with them.

Mr. Miller remarked that they are concerns to the Commission, so he thought they should table this up to two meetings.

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

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Mr. Meagher commented that hopefully the developer and the Homeowner's Association can also come to an agreement prior to the next meeting.

- 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. Tabled on June 14, 2016.**

Motion by Mr. Mr. Miller to Table PUD #2015-14 up to two meetings.

Supported by Mr. Alexie

Mr. Gendernalik stated that the Public Hearing was continued, so he thought the board should Table the PUD date specific but set the date in meetings so they have time to submit the paperwork. He commented that he does not represent the applicants, but he does kind of represent the neighborhood. He mentioned that the applicants did address some of the concerns, but there are still some issues that should be addressed.

Mr. Meagher stated that he appreciates all the issues the neighbors may have and they will be handled at the meeting. However, the bottom line is that the Commission is going to act on whatever they end up submitting and whatever they present in front of them.

Mr. Miller amended his Motion to Table PUD#2015-14 to August 9, 2016.

Mr. Alexie continued Support

Ayes: All

Nays: None

Motion Carried

6. REVIEWS:

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

Mr. LaBelle stated that the applicant asked that the site plan be tabled.

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

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- B. SIGN REVIEW #2016-50: Phillips Sign & Lighting, Inc., 40920 Executive Drive, Harrison Twp., MI 48045. Proposed new ground sign located at 26160 23 Mile Road for Kroger Warehouse.**

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

Motion by Mr. LaBelle to approve Sign # 2016-50

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- C. **SIGN REVIEW #2016-51: Phillips Sign & Lighting, Inc., 40920 Executive Drive, Harrison Twp., MI 48045. Proposed new ground sign located at 26160 23 Mile Road for Kroger Warehouse.**

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

Motion by Mr. LaBelle to approve Sign #2016-51

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- D. **SIGN REVIEW #2016-52: Sign Fabricators, 43984 Groesbeck, Clinton Twp., 48036. Proposed new wall sign located at 50760 Gratiot in Gratiot Crossings Mall for Stomping Grounds Game Shop.**

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

Motion by Mr. LaBelle to approve Sign #2016-52

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- E. **SIGN REVIEW #2016-53: Maurice Marshall, 12610 Colorado Dr., Clinton Twp., MI 48036. Proposed new ground sign located at 46000 Gratiot Ave., for Precious Angels Christian Academy.**

Mr. LaBelle stated that the applicant asked that the sign application be tabled for up to two meetings.

Motion by Mr. LaBelle to Table Sign Review # 2016-53 for up to two meetings.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

F. SITE PLAN APPLICATION #2016-16: Palazzolo Family, LLC, 3737 Cherry Creek Lane, Sterling Heights, MI 48315. Preliminary Site Condo for Hidden Creek Condos, 32 Lot, Single Family Site Condo Development located on the west side of Chesterfield Road, north of 23 Mile Road

Mr. LaBelle stated that the applicant asked that this be tabled for up to two meetings.

Motion by Mr. LaBelle to Table Site Plan # 2016-16 for up to two meetings.

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

G. SPECIAL LAND USE # 2016-17: Double Vision Holdings, 35207 Cricklewood, New Baltimore, MI 48047. Proposed office with outdoor auto sales located at the previous Comcast building at 55800 New Haven Road (Zoned C-3). Set Public Hearing for August 9, 2016.

Motion by Mr. Miller to set the Public Hearing for August 9, 2016.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Motion by Mr. Miller to approve the meeting minutes from June 28, 2016

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:

Mr. Miller stated that the only new business is the election of officers. He commented that if no one really wants to run for the positions he was going to make a motion to continue with the present officers to the Planning Commission.

Motion by Mr. Miller to continue with the same Planning Commission officers

Supported by Alexie

Mr. Saelens commented that the present board officers have done a great job.

Ayes: All

Nays: None

Motion Carried

11. PLANNERS REPORT:

- A. ADMINISTRATIVE REQUEST #161: Michael Moore, 15206 Mack, Grosse Pointe Park, MI 48230. Requesting to modify and enrich dumpster enclosure at 33526 Roselawn for an existing 4-family apartment. Tabled June 14, 2016.**

Mr. Meagher stated that this request was on the previous month's meeting and the Commission had asked that the structure be a brick based dumpster enclosure, the site be cleaned up and the landscaping improved. He explained that the applicant's newer submission indicates that they would like to put the enclosure in the same location and include new wood screening around it.

7-12-16

Michael Moore, 15206 Mack, Grosse Pointe Park, MI 48230 addressed the board.

Applicant stated that the property is zoned commercial and that the requirement is for a cinder block dumpster enclosure. He explained that he would like to put the dumpster in the same location, but he would like it to be a wood enclosure. He argued that a cinder block dumpster with everything surrounding it residential, would look out of place in his opinion.

Mr. Saelens stated that the Commission was not looking for just a cinder block enclosure, they are looking at cinder block and brick and the brick would match the neighborhood around there. He explained that the dumpster could be off set and that way if the brick did match the building it would still not be a problem. He mentioned that the dumpster will be seen when driving down Jefferson, it is not like it is out in the middle of nowhere.

Applicant replied that is true, however, the brick on that building is not really brick it is that stuff that is about an inch thick.

Mr. Saelens remarked that even if it is 1 1/2" brick it would still be available. He stated that the applicant could even put that on the block walls if he wanted to match the building.

Applicant asked the Commissioners wouldn't the dumpster enclosure stand out more if it is brick?

Mr. Saelens replied that he thought it would not stand out more with the brick on it.

Applicant stated that Mr. Meagher suggested that the area be better landscaped. He thought that the building was landscaped well. He asked what if he did something in wood and planted arborvitaes around the dumpster enclosure.

Mr. Saelens stated that the ordinance requires a brick and block dumpster enclosure.

Applicant stated that he was aware of that, but the reason that he applied and paid the \$450 was because he was told that perhaps could be changed.

Mr. Saelens remarked that the Zoning Board of Appeals would be the place to go for a variance from that ordinance.

Mr. LaBelle stated that there are two situations going on here. First of all the brick and block enclosure and secondly, he applicant is talking about putting a wood fence on commercial property. He stated that the Planning Commission does not allow either of those. He explained that the applicant would be required to put a decorative metal fence on commercial property. Therefore, there are two problems here.

Mr. Saelens agreed with Mr. LaBelle and stated that there is a process and the applicant could go in front of the ZBA and it is at their pleasure whether they give that.

Applicant asked so if he wanted to put the wood fence with the arborvitaes he would have to apply for a variance with the ZBA?

Mr. Saelens replied yes.

Mr. Meagher stated that the applicant would have to show a practical difficulty that is not financial as to why he they should grant it. He mentioned that there would have to be something peculiar about the property itself.

Applicant stated so it would have to be practical and not financial?

Mr. Saelens replied absolutely.

Mr. Meagher suggested that they table the request because the applicant may want an opportunity to amend his plans.

Motion by Mr. Miller to Table Administrative Request #161 for up to two meetings.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

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

Mr. Alexie stated that RJ Logistics only has two trucks out of place, so they are getting better. He also mentioned that Joe's Car Wash still has not removed the old vacuums. He then asked if they approved a sign for Size Up Supplements?

Mr. Miller replied that he thought they had approved it.

Mr. Meagher commented that he did not remember that one.

Mr. Stabile asked about when the board would address the approval of the Master Plan?

Mr. Miller stated that he asked Mr. Lovelock and his reply was after the election.

Mr. Stabile asked if he was referring to the election in November?

Mr. Meagher replied he would assume that was the election he was referring to.

There was a discussion about when the Township Board would approve the Master Plan.

Mr. LaBelle asked for volunteers to attend the next pre-planning meeting on July 26th .

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 7:42 PM

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary