

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

July 26, 2016

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

Absent: Frank Eckenrode, *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. Saelens

Ayes: All

Nays: None

Motion Carried

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

5. **PUBLIC HEARINGS:**

- A. **SPECIAL LAND USE #2016-14: Ghassan Azar , 48310 Harbor Drive, Chesterfield, MI 48047. Proposed 18' x 32' square foot garage on a canal lot across from 48310 Harbor Drive, Public Hearing set on June 28, 2016.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

Mike Jankowski, 48310 Harbor Drive, Chesterfield, MI addressed the board.

Mr. Jankowski stated that he talked to Mr. LaBelle about the problem and was told that they need to move the garage back a foot because of the overhang to get it out of the easement. He remarked that they can move the garage back a foot if it is needed.

Mr. Saelens asked if that would take the overhang out of the easement?

Mr. Jankowski replied that he did not know because he has not been able to find out what the easement is from the Township. He mentioned that he just got this because Gus just asked him to help with it because he is out of town.

Mr. DeMuyneck asked the gentleman if he was the builder?

Mr. Jankowski answered yes.

Mr. DeMuyneck asked if he is the applicant's builder?

Mr. Jankowski replied no.

Mr. DeMuyneck asked so you are not the builder?

Mr. Jankowski replied no.

Mr. DeMuyneck asked if the gentleman could speak on the applicant's behalf?

Mr. Jankowski stated sure he can and Gus really wants this to go through because he is tired of his stuff blowing out on the lake every year.

Mr. Alexie stated that he thought they were looking for something on paper.

Mr. LaBelle replied they are.

Mr. Jankowski commented that he was not aware of that.

Mr. Stabile asked if this was a living quarters?

Mr. Jankowski answered no.

Mr. Stabile asked how does the board know that?

Mr. Jankowski replied that there would be no heat in there and it is not going to be dry walled or anything.

Mr. Leonard stated that if there is no water or sewer line to the garage, it would not be livable and they would not get a Certificate of Occupancy.

Mr. Meagher commented that would be a standard condition on these any way.

Mr. Stabile asked how this became a public hearing without drawings?

Mr. LaBelle informed the board members that they do have drawings. The problem is that the overhang of the building impedes the road easement and they need to get the overhang out of the easement.

Mr. DeMuyneck asked if those drawings are the ones from last time?

Mr. LaBelle replied yes.

Mr. DeMuyneck remarked so they do not have any corrected drawings.

Mr. Miller answered no.

Mr. Leonard commented that if they shrunk the footprint, it would shrink the overhangs and that would be an easy way to solve the problem of the overhang in the easement.

Mr. Meagher stated that they could also just move the garage back and added that they could do either.

Mr. Saelens commented that he thought it should be redrawn.

Mr. Jankowski asked if they wanted the drawings to indicate that it would be stepped back from the road?

Mr. Saelens replied yes.

Mr. Jankowski replied that he would tell Mr. Azar that. He asked if they could convene this again in the month of August?

Mr. Saelens stated that the revised plans would have to be turned in by Thursday.

Mr. Jankowski asked if they were talking this Thursday?

Mr. Saelens replied yes and by noon to be on the next agenda. He asked Mr. Jankowski if he would like them to table it tonight so he can submit the revised plans.

Mr. Jankowski replied yes sir.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. Leonard

Ayes: All

Nays: None

Motion Carried

Motion by Mr. Miller to Table the Public Hearing for up to two meetings

Supported by Mr. Leonard

Ayes: All

Nays: None

Motion Carried

- B. PUD #2016-15: Presbyterian Village Senior Living Community, 33875 Kiely Drive, Chesterfield, MI 48047. Proposed addition of dining room and health center to the existing senior living center located on the south side of 23 Mile Road, east side of Callens Road. Public Hearing was set on June 28, 2016.**

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

Applicant stated that the purpose of this application is to amend a previously approved PUD for this parcel from 2006. He explained that they built some buildings but in 2008 when the economy took a nosedive, that put everything on hold. He mentioned that now they are in a position to move forward again. He continued and showed the Commissioners an aerial which depicted the Village before the road was rerouted. He explained that when they started expanding, they struck a deal between the Village, the Township, the Road Commission, and the State Highway Department to reroute the road. This was accomplished because the Village and the Bank both gave up some land so the street lined up to 90 degrees to line up with Baker Road. He explained at that time they built on the Memory Unit, Maven Hall and for safety they built a gravel road for the Fire Department so they would have access to all the buildings on the site. He went on to state that in 2007 and 2008 they got a PUD approved for roughly 18 acres of property and basically they want to add on to the existing health care unit which in essence is the new word for nursing home and add on to the dining room. He mentioned that they would be relocating the gas line and water main and there is plenty of room to do that. He pointed out that the site plan basically shows the existing Nursing Home and Wellness Center, the addition to the dining room and the addition of this wing. He mentioned that it is anticipated that as time progresses there will be more additions but the cottages will be along the east property line. He then showed a detailed depiction of the rooms, most of which will be for one person which are more in demand for privacy. He explained that there will also be some conference rooms and additional offices. He stated that the village is basically a continuing care facility. They have independent living, apartments, condos which can be purchased and they also have a nursing home that has private pay care and Medicaid beds. He showed the existing entrance to the main office area and the memory care area on a depiction of what they have and then showed the board plans with the elevations. He mentioned that they follow the same architectural scheme of the existing buildings which would be consistent with the PUD ordinance. He then showed the original plans with a four story building which was approved, but obviously was never built. He stated that the Planning Commission approved that when they went through the process and the Township Board voted it down. He then went to the ZBA and got the approval. He stated that they will probably come back in the future for a two or three story building instead of the four. He mentioned that in the future they would be back for future additions to the facility. He then showed the Commission an aerial of the property as it now exists.

Mr. Saelens asked where the gravel access road was located?

Applicant showed him the area on an aerial.

Mr. Saelens asked why that part was not paved?

Applicant stated that they did not know what they were doing in that area when the PUD was done; there were going to be buildings and the PUD agreement stated that they could do it in phases. He explained that all they are doing now is rerouting part of that farther to the north to come back to the same location. He mentioned that the Fire Department comes out periodically to inspect to see that the road is open and in the winter time they plow it.

Mr. LaBelle asked him if they planned to reroute the road prior to construction of the two additions?

Applicant replied yes because the building will go out and the fire road is within 50 feet of the building. So the one water main has to be rerouted so the fire plugs will be in the right location. He stated that if they do not reroute the road before, it would be under the building and that will be part of the simultaneous construction as will be the updating of existing rooms in the nursing facility.

Mr. DeMuyndck stated that Presbyterian has been a good facility and he feels it is a great asset to the Township.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. DeMuyndck

Ayes: All

Nays: None

Motion Carried

Mr. Miller asked the Recording Secretary to poll the board to see if they would like to vote that evening.

All of the Commissioners stated that they would like to vote on the PUD that night.

Motion by Mr. LaBelle to approve PUD #2016-15 Presbyterian Village Senior Living Community for the proposed addition of the dining room and the health center to the existing Senior Living Center located on the south side of 23 Mile Road, east side of Callens Road. The approval would be contingent on CPM's write up and any engineering comments from AEW.

Supported by Mr. DeMuyndck

Ayes: All

Nays: None

Motion Carried

Applicant asked if procedurally he had to go in front of the Township Board because this is a PUD.

Mr. Meagher stated that he should check with Mr. Palin to see if for just a minor change or amendment this would need to go in front of the Board.

6. **REVIEWS:**

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 July 12, 2016**

Stacy Cerget, 45138 Cass Avenue, Utica, MI 48317 addressed the board.

Ms. Cerget stated that last month Phil was here and there were a few outstanding issues with the homeowners association and they have since worked through those issues. She explained that there were a few discrepancies with the floor plans that were being approved. They have met and they have approved six different options for floor plans and elevations. She stated that there was also a note in regard to Connie Bowles Park. She indicated that the Supervisor has picked a plan for the site plan at the Connie Bowles Park and the only difference is that it be made of brick and the Township will pick the color of the brick. Therefore, they do have a plan that has been agreed upon with the Township Supervisor. She remarked that they have made headway in all aspects and they are requesting approval of the PUD this evening.

Mr. Miller asked if the condo association is okay with the agreement?

Ms. Cerget stated that there were one or two outstanding issues that were brought up yesterday. She mentioned that the attorneys are going to work through those issues with Aseel at AEW tomorrow. She explained that it is only a language issue that involves the Township having full authority with specific issues relating to common areas, which the association should have control of. She stated that it is just a play on words that Aseel wants one way and the attorneys want another way.

Mr. Saelens asked if they need something in writing from the condo board?

Mr. Meagher replied that the agreement they have is that the developer cannot move forward without that being signed by the association. Their concern is that their attorney would be able to review the final documents. He stated that right now his comments and the comments from AEW are very minor.

Ms. Cerget brought up the fact that as far as screening, the association does not want the wall in case it gets damaged and they prefer to have the landscaping.

Mr. Meagher stated that he would have no objection to that and a revised plan has to be submitted showing that.

Ms. Cerget replied that they did submit the plan with the landscaping.

Mr. Meagher commented okay.

Mr. Alexie stated that he wanted to see what the homeowners association has to say, if anything.

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

Mr. Averitt stated that they have all been working on this late last night and all day today to iron out any issues. He explained that the board feels comfortable to bring everything that has been submitted so far to the Association for approval. He stated that they need a 2/3 majority of all the residents, but they feel very good and think they can finally make this happen.

Mr. Alexie asked if they should vote before the condo residents vote?

Mr. Meagher answered that he does not have any objections to that. He does not think the two are related directly. The Commission's decision has to be based on whether it meets the requirements of the ordinance and the Township's regulations. He stated that they could act on what they have because it sounds like they are very close to coming to an agreement.

Mr. Averitt stated that there are one or two minor things that both the attorneys have been involved with today which was a language issue with the third amendment, but he still has to get a 2/3 majority of the residents to agree. However, he is confident they can move on.

Mr. Saelens asked if they really thought the concrete wall would require more maintenance than the landscaping?

Mr. Averitt stated that they have a brick wall at the front entrance and it is disrepair and they worked out a deal to get that fixed up. He feels it would be easier that if a tree dies, he can just swap out a tree quickly verses if the concrete starts falling apart.

Mr. LaBelle asked Mr. Averitt if he feel comfortable and thought this would go through because if this is approved this evening and changes have to be made they may have to come in front of the Commission again.

Mr. Averitt replied that he cannot foresee any major changes and he knows the developer has to move on because there are other procedures they still have to go through and at this point he does not want to hold them up. He mentioned that they have already discussed the idea that maybe six month down the road something may change and they may want to do some different housing. They understand at that point they will have to start all over again and they have all discussed that matter. He explained that the only problem was that they have to complete the attached units that were already started and the problem is that they do not have the plans because they were done by a different architect but they are working on that. He actually found the layouts of the attached units tonight in an old booklet he had and Ms. Cerget took pictures of them so they even have a good foothold on that.

Motion by Mr. LaBelle to approve Plymouth Village PUD # 2013-19. He stated that it appears an agreement has been reached and approval is contingent on AEW's report as well as Community Planning and Management's report.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

B. SIGN REVIEW #2016-54: Phillips Sign & Lighting, Inc., 40920 Executive Drive, Harrison Twp., MI 48045. Proposed ground sign resurface located 25923 23 Mile Road for Austin Catholic Academy.

Mr. LaBelle stated that the sign does meet the Township ordinances however, only thing approval would be contingent upon is that they add the address to the sign.

Motion by Mr. LaBelle to approve Sign # 2016-54

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

C. SIGN REVIEW #2016-55: Phillips Sign & Lighting, Inc., 40920 Executive Drive, Harrison Twp., MI 48045. Proposed new wall sign located at 50555 Gratiot for Furniture Liquidators.

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

Motion by Mr. LaBelle to approve Sign #2016-55

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

D. SIGN REVIEW #2016-56: Phillips Sign & Lighting, Inc., 40920 Executive Drive, Harrison Twp., MI 48045. Proposed resurface of tenant panel to existing ground sign located at 50555 Gratiot for Furniture Liquidators.

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

Motion by Mr. LaBelle to approve Sign #2016-56

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

E. SIGN REVIEW #2016-57: Randy Jarbo, 46518 Gratiot Ave., Chesterfield, MI 48051. Requesting LED border in windows located at the above address for Wild Bill's Tobacco.

Mr. LaBelle stated that LED neon around windows is not allowed in the Township ordinances.

Motion by Mr. LaBelle to deny # Sign 2016-57

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

F. SIGN REVIEW #2016-58: Sign Fabricators, Inc., 43984 Groesbeck, Clinton Township, MI 48036. Proposed new addition to existing monument sign located at 50400 Gratiot for Art Van “Pure Sleep”.

Mr. LaBelle stated that there wasn't anyone here at the preplanning meeting. He explained that it appears to him that it is going to work. He asked Mr. Meagher if he was of the same opinion?

Mr. Meagher replied that it was pretty close.

Mr. Saelens asked if this sign would meet the new ordinance coming into effect.

Mr. Meagher stated that the signs at the entrances were approved as an overall PUD so they were approved outside the sign ordinance originally.

Mr. Miller asked so they will not have to go by the new sign ordinance ever?

Mr. Meagher replied no.

Motion by Mr. LaBelle to approve Sign # 2016-58

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

G. SIGN REVIEW # 2016-59: Metro Detroit Signs, Inc., 23544 Hoover, Warren, MI 48089. Proposed tenant panel resurface on existing multi-tenant ground sign located at 48820 Gratiot for Allstate Insurance.

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

Motion by Mr. LaBelle to approve Sign #2016-59

Supported by Mr. DeMuyne

Ayes: All

Nays: None

Motion Carried

H. **SIGN REVIEW # 2016-60: Metro Detroit Signs, Inc., 23544 Hoover, Warren, MI 48089. Proposed new wall sign located at 48820 Gratiot in the Tiffany North Plaza for Allstate Insurance.**

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

Motion by Mr. LaBelle to approve Sign #2016-60

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

I. **SIGN REVIEW # 2016-61: Sign-A-Rama, 1017 Naughton, Troy, MI 48083. Proposed new ground sign located at 27820 23 Mile Road for Verus Plaza between White Castle and Starbucks.**

Mr. LaBelle stated that the sign does meet the Township ordinance, however, approval is contingent upon the range of addresses being added to the sign.

Motion by Mr. LaBelle to approve Sign #2016-61

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

J. **SIGN REVIEW #2016-62: Phillips Sign & Lighting, Inc., 40920 Executive Drive, Harrison Twp., MI 48045. Proposed new ground sign located at 51821 Gratiot for Growing Smiles Pediatric Dentistry.**

Mr. LaBelle stated that one question that came up was if the property was split. He asked the sign applicant if that in fact did happen and the gentleman acknowledged the fact that the property was split

Motion by Mr. LaBelle to approve Sign #2016-62 contingent upon them adding the address to the sign.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

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

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

Supported by Mr. Saelens

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. Stabile stated that he thought that the Master Plan should be presented to the Township Board after the election primaries.

Mr. DeMuyne stated that he has not heard anything about it and he would suggest that they wait a little bit.

Mr. LaBelle asked for volunteers to attend the next pre-planning meeting on August 9, 2016 .

Mr. Saelens 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 7:45 PM

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary