

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
MONDAY, AUGUST 4, 2008
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LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
DEAN AUSILIO, VICE CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
CHARLES OLIVER, MEMBER
JOA PENZIEN, MEMBER
ARNOLD THOEL, MEMBER
JASPER SCIUTO, MEMBER

ABSENT: NONE

ALSO PRESENT: Jerome Schmeiser, Planning Consultant
(Additional attendance on file at the Clerk's Office)

Chairman GALLAGHER called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the entire Commission was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and any additions, corrections or deletions were discussed and made.

MOTION by AUSILIO seconded by PENZIEN to approve the agenda as presented.

MOTION carried.


APPROVAL OF THE PREVIOUS MEETING MINUTES

3. The minutes of the previous meeting held on July 15, 2008 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by AUSILIO seconded by PENZIEN to approve the minutes of the meeting of July 15, 2008 as presented.

MOTION carried.

AGENDA ITEMS

4.  **Revised Site Plan – Sales Trailer – Riverwoods Farms – Lot 21;** Located on the south side of 21 Mile Road, east of Romeo Plank Road; Section 33; Arteva Construction – Petitioner. Permanent Parcel No. 08-33-178-013.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. John Bowles, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by AUSILIO to approve the Revised Site Plan for the Sales Trailer at Riverwoods Farms, Lot 21; Located on the south side of 21 Mile Road, east of Romeo Plank Road; Section 33; Permanent Parcel No. 08-33-178-013 with the standard conditions of the Planning Commission, including:

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.**
3. **The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones (a cobblestone measuring 3-8" in diameter are allowed) or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.**

That all lawn areas including the front yard, side yard setbacks, rear yards, the areas between the sidewalk and curbs, and planting beds to be planted with grass and trees and maintained. The term grass means "pre-grown grass" referred to as sod. Seeding of grass areas is not allowed. This standard is derived from the land division ordinance section 17-162A14b(11).

4. **The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.**
5. **Sidewalks to be provided to the satisfaction of the Township Engineer.**
6. **Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.**
7. **That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.**
8. **An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
9. **The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.**
10. **That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).**
11. **That all signs be designated on the site plan and meet the Township requirements.**
12. **That the petitioner meets with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.**

13. **MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.**
14. **That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.**
15. **That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.**
16. **That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.**
17. **That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.**
18. **That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.**
19. **That in the case of commercial zones that outdoor storage and display of merchandise is prohibited.**
20. **That all requirements of the Zoning Ordinance be met.**
21. **If the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.**
22. **That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.**

23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.


In connection with splitting, combining or otherwise amending the site plan, that any master deeds prepared in connection with said site plan be amended. The amended master deed, including Exhibit B documents, must be submitted to the Township Clerk's Office for review in accordance with Township procedures. The recorded document must be received prior to issuance of building permits.

The same procedure would follow for a revision to the site plan.

25. That all lawn areas must be developed in accordance with the zoning ordinance section 10.2402-B-6 which refers to the landscaping design standards of the Township Land Division Ordinance; Sec. 17-162-(b)(11) as amended which provides that all areas must be sodded and irrigated with pre-grown grass which include the areas of the property which also includes the road right-of-way.

26. **That all drives and/or maneuvering lanes on subject property that connect to abutting parcels shall provide appropriate cross access documents that are consistent with the final approved site plan drawing. If the development is a condominium then the cross access documents shall be referenced within the master deed(s) of the affected parcels(s). All cross access documents must be reviewed and approved by the Township Attorney and properly executed prior to the approved site plan being forwarded to the Building Division for building permits.**
27. **That a revised site plan be submitted indicating the 7 foot walkway between the trailer and the parking spaces and that a landscape plan be submitted as required by the Zoning Ordinance including the irrigation and sod.**

MOTION carried.

5.  **Revised Site Plan - Victory Nissan; Located on north side of Hall Rd, ½ mile west of Gratiot; Section 36; Bloom General Contracting – Petitioner. Permanent Parcel No. 08-36-377-011.**

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Gary Laundrouche, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by AUSILIO seconded by THOEL to approve the Revised Site Plan for Victory Nissan; Located on north side of Hall Rd, ½ mile west of Gratiot; Section 36; Permanent Parcel No. 08-36-377-011 with the standard conditions of the Planning Commission, including:

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.**

3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).

11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.

21. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
24. That the signs are not part of this approval.
25. Although the site plan meets the requirements of the zoning ordinance with respect to setbacks have been met, the consultant feels that the petitioner should be apprised of the fact that any noise emitted from the proposed dealership must not be of such a nature that will be a disturbance to any abutting residential properties. This would include noise from within the building emitted through the vehicle doors, horns, tires, or engines from within or outside the building.
26. There shall be no outdoor speaker units anywhere on the site. Any indoor speakers units shall be set up so that sound from said speakers is contained within the building (s) on site. Any sound from indoor speakers including announcements, music or paging shall not carry beyond 100' radius of the building.
27. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.


In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an

application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

- 28. That any joint use of the detention facilities be approved by the Township Engineer and the Planning Commission.**


MOTION carried.

- 6.  Ground Sign – Deneweth’s Garden Center; Located on the north side of 22 Mile Road, ½ mile east of Hayes Road; Section 19; Ken Deneweth – Petitioner. Permanent Parcel No. 08-19-400-010.**

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial because the proposed sign did not meet the ordinance with regards to its location.

MOTION by AUSILIO seconded by PENZIEN to deny the Ground Sign for Deneweth’s Garden Center; Located on the north side of 22 Mile Road, ½ mile east of Hayes Road; Section 19; Permanent Parcel No. 08-19-400-010 since it does not comply with the requirements of the Zoning Ordinance.

MOTION carried.

- 7.  Ground Sign – PTI Engineering Plastics; Located on the south side of 23 Mile Road, east of Corporate Drive; Section 20; Creative Design & Sign – Al Lalonde – Petitioner. Permanent Parcel No. 08-20-103-011.**


Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

MOTION by PENSIEN seconded by THOEL to approve the Ground Sign PTI Engineering Plastics; Located on the south side of 23 Mile Road, east of Corporate Drive; Section 20; Permanent Parcel No. 08-20-103-011 with the following standard conditions:

- 1. That Section 10.0319 of the Zoning Ordinance be met.**
- 2. That the ground sign be limited to 31 square feet.**

3. That a \$500 cash bond be posted assuring the construction of the sign as approved.
4. That a revised drawing be submitted indicating that the base will be three inches high for a total height of the sign to be 60”.

MOTION carried.

8.  **Temporary Ground Sign – Hartford Condominiums;** Located on the southeast corner of 24 Mile Road and Card Road; Section 14; Hartford Macomb LLC – Petitioner. Permanent Parcel No. 08-14-100-004.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Robert Kirk, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by THOEL to approve the Temporary Ground Sign – Hartford Condominiums; Located on the southeast corner of 24 Mile Road and Card Road; Section 14; Permanent Parcel No. 08-14-100-004 with the standard conditions:

1. That Section 10.0319 of the Zoning Ordinance be met.
2. That the ground sign be limited to 32 square.
3. That a \$500 cash bond be posted assuring the construction of the sign as approved.
4. That a revised site plan be submitted showing the setback of 15’ from Hartford Way as required by the Zoning Ordinance.

MOTION carried.

MASTER PLAN WORKSHOP

Mr. Gerry Wangelin, Acting Water and Sewer Superintendent, and Mr. James VanTiflin, Engineering Consultant, expressed their issues with the master plan as it relates to the Water and Sewer Department.

There was general discussion by the Planning Commission members regarding the first draft of the revised Master Plan.

PLANNING CONSULTANTS COMMENTS

None

PLANNING COMMISSIONERS COMMENTS

None

ADJOURNMENT

MOTION by PENZIEN seconded by AUSILIO to adjourn the Planning Commission meeting at 7:55 p.m.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
Planning Commission Secretary