

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, JANUARY 6, 2009

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
TONY POPOVSKI, MEMBER
NUNZIO PROVENZANO, 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 there were no additions, corrections or deletions.

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

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES


3. The minutes of the previous meeting held on December 16, 2008 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by AUSILIO seconded by PROVENZANO to approve the minutes of the meeting of December 16, 2008 as presented.

MOTION carried.

AGENDA ITEMS

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4.  **Tentative Preliminary Plat; Manthey Farms Subdivision**; Section 30; Located on the W. side of Garfield Road, ½ mile north of 21 Mile Road; Chippewa Valley Schools, Petitioner. Permanent Parcel No. 08-30-200-032.

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

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

Mr. John Schmidt and Ms. Grace Caparuscio spoke against the plat approval on the grounds that the Chippewa Valley School Board was proceeding illegally with this development.

MOTION by AUSILIO seconded by OLIVER to approve the Tentative Preliminary Plat for Manthey Farms Subdivision located in Section 30 on the west side of Garfield Road, ½ mile north of 21 Mile Road, Permanent Parcel No. 08-30-200-032 with the following conditions:

1. **The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:**
 - a. **Macomb County Road Commission**
 - b. **Office of Public Works Commission of Macomb County**
 - c. **Macomb County Health Department**
 - d. **Macomb County Planning Commission**
 - e. **Michigan Department of Environmental Quality**
 - f. **All public utility companies affected.**
 - g. **That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.**
2. **The Township Engineer approves all engineering plans for the computed plat.**
3. **That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**

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4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval shall be incorporated into the Final Preliminary Plat.
5. That all public street drain crossings within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.
6. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinances.
7. Flood Plain Map Amendments and or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the "20 ft. common area for landscaping purposes" be developed in accordance with the provisions of the Land Division Ordinance of Macomb Township. A plan for the area must be prepared by a registered landscape architect and include a layout of plants proposed for the area, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost list to be prepared by the registered landscape architect who prepared the plan.
10. That a bond in an amount determined by the Township Consulting Engineer be posted assuring the development of the 'Landscape Easement.' The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.
11. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this

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approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.


12. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits two (2) copies of the plat to the Supervisors office for addressing. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.
13. That the petitioner submits two (2) copies of the restrictive covenants that will be recorded with the plat. Said covenants must include an article to provide the perpetual maintenance of all limited common that may include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.
14. If a 'phasing plan' has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.
15. 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.

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16. That the landscape plan be revised indicating that the plant materials will be 7 feet apart rather than 12 feet apart.
17. That a Land Division application be submitted to receive a variance for the stub street to the north.

MOTION carried.

5.  **Ground Sign – TRI 59 II LLC, Outlots;** Section 34; Located on the north side of Hall Road, east of side of Heydenreich Road; B-B Signs & Lighting, Inc., Petitioner, Permanent Parcel No. 08-34-300-028.

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

MOTION by KOEHS seconded by POPOVSKI to approve the Ground Sign for TRI 59 II LLC, Outlots in Section 34 which is located on the north side of Hall Road, east of side of Heydenreich Road, Permanent Parcel No. 08-34-300-028 with the following standard conditions:

1. That Section 10.0319 of the Zoning Ordinance be met.
2. That the ground sign be limited to 64 square feet.
3. That a \$500.00 cash bond be posted assuring the construction of the sign as approved.

MOTION carried.

PLANNING CONSULTANTS COMMENTS

Mr. Schmeiser indicated that he was in the process of reviewing ordinance amendments covering signs and senior housing. He also indicated that the amendment process for the Master Plan was now complete, and that the Plan is available on line and at the Clerk's Office for review.

PLANNING COMMISSIONERS COMMENTS

NONE

ADJOURNMENT

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MOTION by AUSILIO seconded by SCIUTO to adjourn the Planning Commission meeting at 7:42 p.m.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

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