



MACOMB TOWNSHIP
PLANNING COMMISSION
MINUTES OF MEETING OF AUGUST 16, 2016



LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: CHARLES OLIVER, CHAIRMAN
JASPER SCIUTO, VICE CHAIRMAN
JULIANA PLASTIRAS, SECRETARY
MICHAEL P. HARDY, MEMBER
NUNZIO PROVENZANO, MEMBER
AARON TUCKFIELD, MEMBER
ROGER KRZEMINSKI, MEMBER

ABSENT: NUNZIO PROVENZANO, MEMBER

ALSO PRESENT: Thomas Esordi, Township Attorney
Patrick Meagher, Planning Consultant
(Additional attendance on file at the Clerk's Office)

The meeting was called to order by Chairman OLIVER who asked everyone present to remain standing to observe a "Moment of Silence" after the Pledge of Allegiance for Michael Koehs who had passed away last week.

Pledge of Allegiance

A moment of silence then took place as requested.

1. **Roll Call**

Secretary PLASTIRAS called the roll and Member PROVENZANO was absent and excused.

2. **Approval of Agenda Items (with any corrections)**

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

MOTION carried.

3. **Approval of the August 1, 2016 previous Meeting Minutes**

MOTION by TUCKFIELD seconded by KRZEMINSKI to approve the minutes of the meeting of August 1, 2016 as presented.

MOTION carried.

AGENDA ITEMS:

4. **Site Plan; Niko's Warehouse Building;** Located on the east side of Regency Center Drive, approximately 370 feet north of 23 Mile Road; Section 17; Niko's Export/Import, LLC, Petitioner; Permanent Parcel 08-17-344-017, 08-17-344-018 and 08-17-344-019.

Patrick Meagher, Planning Consultant, informed the Commission that the site is a parcel away from the new Niko's building. He then mentioned the owner has designed the building so it can be used as three separate units, or he may use 1, 2 or all three of the units. Mr. Meagher stated the department heads found the plans to be in accordance with the ordinances. The engineer had one comment that the utility plan be removed from the site plan. Mr. Meagher then stated with regards to any type of motion the Commission may have, he recommended it be conditioned upon the engineer's comments.

Gary Kwapis, Architect and Representative for Niko's, 126 E. 3rd Street, Rochester, was present.

Member SCIUTO inquired about whether there was adequate parking space. Mr. Meagher stated that the parking requirement is met and he was working with Mr. Kwapis to ensure the handicap parking is located properly. Mr. Scuito inquired about handicap parking at each of the three entrances. Mr. Meagher informed the Commission that parking is not allowed in front of the office area but they have managed to adequately comply with the requirements.

Chairman OLIVER questioned the likelihood that several different individuals could use the building given its different units and inquired if it would be used as one single building. Gary Kwapis stated the owner was planning on occupying the whole building for warehousing and so forth, but in the future he may decide to take the opportunity to have three separate units in the building.

Public Comments:

None.

MOTION by TUCKFIELD seconded by KRZEMINSKI to approve the Site Plan; Niko's Warehouse Building; Located on the east side of Regency Center Drive, approximately 370 feet north of 23 Mile Road; Section 17; Niko's Export/Import, LLC, Petitioner; Permanent Parcel 08-17-344-017, 08-17-344-018 and 08-17-344-019; specifically regarding the drawing date of 12/22/2015 that the Commission received, also to include the comments from the engineer with regards to the drawing.

MOTION carried.

5. **Special Land Use; Title Boxing Club;** Located on the northeast corner of Hayes and Hall Roads; Section 31; H/H Investment Co., LLC, Petitioner. Permanent Parcel 08-31-300-025.

Patrick Meagher, Planning Consultant, mentioned the applicant is requesting to open a boxing/training facility and will be occupying 2 to 3 vacant units in the center. He stated as with all these uses the primary concern is the potential for noise and whether or not it would disturb neighboring uses. He noted that the Commission has always made these approvals contingent upon the applicant resolving any noise issues.

Loretta Adams, P. O. Box 82237, Rochester, 48308; Representative for the Landlord and tenant Scott Van Almen stated that the tenant would be taking over where the Kowalski, Dentist and the Sweetheart Bakery were located. Ms. Adams explained that Title Boxing is primarily a female work out facility and it's primarily kick boxing with calisthenics in between weight bag training. She noted that it is a national franchise with three locations in Michigan. They will take about five thousand square feet of the center and will combine three store fronts. Ms. Adams stated the landlord is most concerned with the noise issue and that is why he normally doesn't allow workout facilities or dance facilities in their shopping centers. Ms. Adams stated with this particular lease the main concern was based on noise mitigation and decibel levels. She also stated that the landlord also visited several of their locations neighboring tenants for observation purposes. Ms. Adams mentioned they would be looking at three layers of drywall between the neighboring tenants and will be insulated in between, caulked at the top and at all openings. She also stated they're pretty confident that they won't have any issues with the noise. Ms. Adams mentioned that the neighbor is an existing hair salon and they had visited one of the locations, she said she is not implying that there wouldn't be any noise at all, but even between a restaurant tenant and a dentist tenant you can hear talking from time to time, just like a condo building.

Member KRZEMINSKI asked Ms. Adams what type of noise to expect and Ms. Adams replied just music to keep them motivated.

Member PLASTIRAS mentioned she goes to Title Boxing at the Rochester Road location which is in a strip mall, and there is a hair salon and a fruit market and she could tell them there is just music and no cage fighting. Member PLASTIRAS stated that the classes are generally early or late, not necessarily at peak hours. Ms. Adams stated if they weren't so confident in this operator they would have turned the use away.

Member SCIUTO questioned the Title Boxing Club if there is no contact and no ring. Ms. Adams replied there will be fifty-six weight bags hanging in the middle of the room. Member SCIUTO asked if there would be outside training, Ms. Adams replied there would be no outside training and that their insurance does not allow any activity outside.

Chairman OLIVER inquired as to whether there would be competition. Ms. Adams there are classes, group activities classes with fifteen to thirty people and they don't compete at all, they just workout. Chairman OLIVER asked what the hours of operation would be. Ms. Adams said they open early in the morning, classes start at 6:00 AM, the bulk of the classes are in the morning and in the evening.

Scott Van Almen, of Title Boxing, 3212 Huntington Circle South, Washington, was present for questions.

Chairman OLIVER asked what the hours of operations would be. Mr. Van Almen stated Monday thru Friday from 5:30 AM to 8:30 PM and Saturday and Sunday from 8:30 AM to 12 noon and may expand their hours when membership builds up. Chairman OLIVER also inquired whether there had been any noise issues at the Shelby location. Mr. Van Almen responded very minimal, he mentioned when Title Boxing first started six years ago there were issues with noise but from the franchise perspective but they have since been resolved.

Chairman OLIVER also asked Mr. Van Almen if there would be any competitive events which would bring in additional people. Mr. Van Almen stated that they have a maximum of fifty-five so once the classes are full there will be no additional people.

MEMBER SCIUTO inquires as to whether they would be opening it up with pass keys to the members to use the equipment. Mr. Van Almen responded that there are no pass keys, they are open at regular business hours, but outside of the business hours they are not allowed in.

Chairman OLIVER asked Mr. Van Almen if he was aware that if the tenants start complaining it will have to be addressed and mitigated. Mr. Van Almen mentioned they have worked through all the language with the landlord and the lease, and his goal is not to disrupt business, but to grow business.

Public Comments:

None.

MOTION by KRZEMINSKI seconded by PLASTIRAS to approve the Special Land Use for the Title Boxing Club; Located on the northeast corner of Hayes and Hall Roads; Section 31; H/H Investment Co., LLC, Petitioner. Permanent Parcel 08-31-300-025.

MOTION carried.

(Open for Public Comment.)

PLANNING CONSULTANTS COMMENTS

Patrick Meagher, Planning Consultant, stated he would withhold comments for two weeks and will bring back information at that time.

PLANNING COMMISSION COMMENTS

Member SCIUTO stated he and Mr. Meagher discussed the new Cellphone Towers coming into the townships, cities and different locations and how they are going to be a lot smaller. Patrick Meagher, Planning Consultant mentioned that he along with Mr. Esordi, Township Attorney, will be reviewing the Metro Act. Member SCIUTO mentioned this is the future and will have to be addressed.

Chairman OLIVER mentioned when the township put the tower behind the Water & Sewer Department and was one of the first tower in the area, there was also a twenty-five year lease. At the time they felt the technology was moving so fast that the new generation of poles would be minimal in size. Patrick Meagher stated it is definitely going in that direction but they're still putting up new standard monopoles.

Thomas Esordi, Township Attorney, stated the bigger problem is the power supply. They require a backup power supply, not the space on the tower they want the backup. They don't require tower space they will require more ground space.

Member TUCKFIELD commented on the "Moment of Silence" observed for Michael Koehs and that he has known him probably the least amount of time, but he just wanted to mention that he has known him since 2004. Also that he was an elected official and that he had worked with him in elections, and with the Planning Commission and to some extent with the ZBA. Further that he was a resource that was always helpful and the Township will miss the experience and knowledge he provided and also he has done a lot of good things that no one will ever know or hear about in the township. Member TUCKFIELD then stated he would like to mention his name with respect and would like to pass on his condolences to Mrs. Koehs and say the Township has lost a good guy and a good resource last week, and he just wanted to put that on the record and show his appreciation for a member of the Township and the service that he gave to the Township and the Sheriffs department for the county and for his service oversea in the military.

Chairman Oliver mentioned to the Commission that Michael had received two Purple Hearts and enlisted in the military when he was eighteen years old. Further, that he was a public servant that led a good life and served the people of this community well and he would be greatly missed.

ADJOURNMENT

MOTION by SCIUTO seconded by TUCKFIELD to adjourn the Planning Commission meeting at 7:30 p.m.

MOTION carried.

Respectfully submitted,

Charles Oliver, Chairman

Juliana Plastiras
Planning Commission Secretary