

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, OCTOBER 4, 2016
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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

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

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

ROLL CALL

1. Secretary PLASTIRAS called the roll and the entire Commission was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and item #5 the Rezoning Request from Residential One Family (R-1) to Multiple Family Low Density (R-2-L); Wolverine Macomb, LLC, Petitioner. Permanent Parcel 08-05-301-008; was withdrawn from the agenda.

Patrick Meagher, Planning Consultant, stated in preparing the application and meeting the States notification requirements an error was made in the advertising for the rezoning. He then stated that Mr. Lombardo, from Lombardo Companies was made aware of the situation and responded with the withdrawing of the rezoning request. Mr. Meagher informed the residents that if the rezoning was to go forward a new application would need to be submitted by the Lombardo Company, a new advertisement would have to be mailed out and a new public hearing would have to be scheduled.

MOTION by SCIUTO seconded by PROVENZANO to except the agenda with the withdrawal of item #5 the rezoning request.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

3. The minutes of the previous meeting held on September 20, 2016 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by TUCKFIELD seconded by PLASTIRAS to approve the minutes from the meeting of September 20, 2016 as presented.

MOTION carried.

PUBLIC HEARING

AGENDA ITEMS:

4. **Revised Site Plan; Majestic Industries;** Located on the north side of 23 Mile Road, 460 feet east of Hayes Road; Section 18; Majestic Industries, Inc., Petitioner. Permanent Parcel 08-18-300-029.

Patrick Meagher, Planning Consultant, informed the Commission that the change is a fairly minor change to the site plan the Commission had recently approved for the larger addition. Mr. Meagher stated the second request was followed up by the removal of the islands that separate the two industrial sites. He mentioned that both Nyloc Fastener and Majestic Industries have agreed that without the islands they would have better circulation with loading and unloading at their sites. Mr. Meagher stated the department heads had found it to be consistent with the ordinance requirements and were recommending approval subject to the verification and approval of a revised shared access agreement with Nyloc.

Ron Latowski, President of Majestic Industries, 15378 Hall Mark Court, Macomb, mentioned he had ten new employees waiting for the building to be complete.

Member SCIUTO asked Mr. Meagher if there would be any parking problems with the joint access agreement or traffic flow with trucks in and out. Mr. Meagher responded with no; that moving the parking from the property line to the building line would be a safer situation.

Member TUCKFIELD wanted to verify with Mr. Latowski that he was aware and would hopefully keep all on site storage inside the building as opposed to the parking lot. Mr. Latowski agreed.

MOTION by SCIUTO seconded by HARDY to grant approval of the Revised Site Plan for Majestic Industries; Located on the north side of 23 Mile Road, 460 feet east of Hayes Road; Section 18; Majestic Industries, Inc., Petitioner.

Permanent Parcel 08-18-300-029; pursuant to the Planning Consultants recommendations and with the understanding that the approval will make it a safer parking lot;

MOTION carried.

5. **Rezoning Request; Residential One Family (R-1) to Multiple Family Low Density (R-2-L);** Located on the east side of Romeo Plank Road, north side of 25 Mile Road; Section 5; Wolverine Macomb, LLC, Petitioner; Permanent Parcel 08-05-301-008.

Item #5 has been completely withdrawn by the petitioner, Lombardo Companies.

6. **Rezoning Request; Residential One Family (R-1) to General Commercial (C-2);** Located on the north side of Hall Road, 1,960 feet west of North Avenue; Section 35; Lorenzo Evola, Petitioner; Permanent Parcel 08-35-452-004.

Patrick Meagher, Planning Consultant, stated the request is to rezone the property from Single Family Residential (R-1) to General Commercial (C-2) and at this point in time this would be a public hearing and the criteria for the rezoning has been distributed. Mr. Meagher stated as with all rezoning recommendations we ask that public comments be taken and if the Commission finds it to be consistent with the criteria a motion could be made. However if there is a lot of public input that needs to be considered we would recommend that the Commission postpone the motion and act on it at the following meeting.

Lorenzo Evola, 45257 Van Dyke, property owner, was present to answer question.

Member PLASTIRAS had questions for the petitioner or Mr. Meagher with regards to the documentation supporting the request for the rezoning and asked for clarification. Mr. Meagher responded that he too was a little confused as well but the issue is to determine whether or not the C-2 zoning district is appropriate. Mr. Meagher stated that it was important to not concentrate on this particular use until a site plan and or special land use has been introduced. Mr. Meagher said he would rather the Commission look at whether the C-2 district is appropriate for the parcel.

Member PLASTIRAS stated there was vacant property to the north, offices to the east, Hall Road to the south and single family residential and understandably it could be sold off to some other commercial use if it's rezoned, but Member PLASTIRAS was considering whether that zoning would fit with the surrounding area.

Member TUCKFIELD requested that Mr. Meagher read the description for the C-2 district to refresh everyone. Mr. Meagher began to read the list of businesses/offices that would qualify under the C-2 zoning district and under special land uses.

Member SCIUTO stated with the eleven questions the Commission was given he wished the Commission had them earlier. Mr. Meagher stated when he puts the list together it's without any type of responses and there are no recommendations to them. Mr. Meagher stated the concept is at the public hearings and that he goes into the meeting with an open mind listens to the public and what they have to say, and you add that to the finding of facts and only after that point render a recommendation.

Chairman OLIVER questioned the petitioner on whether he had direct intentions or was just trying to rezone the property. Mr. Evola explained to the Commission that he has been in the restaurant pizza business his whole life and owns Trovulli Pizza Restaurants in Utica, Richmond and Armanda. Mr. Evola mentioned he bought the property with the same intention but to also create a park like setting for children to go for ice cream, to also sell organic vegetables and fruits that he grows and wants to incorporate them together. Mr. Evola stated this would be his intent for the property.

Susan Bullock, 22457 Hall Road, resident, mentioned that she lives next to Mr. Evolas property. Ms. Bullock stated that she along with her neighbors are opposed to this request.

Kim Pizzo, 17247 Country Club, resident, spoke in favor of the request and told the Commission that she had been to his restaurants and stated they are lovely and she travels far to go his restaurants. Mrs. Pizzo said instead of inviting small businesses we keep inviting large commercial businesses and restaurants. Her understanding was that the township originally was supposed to have a small town feel.

Close of the Public Hearing:

MOTION by TUCKFIELD seconded by SCIUTO to close the public hearing at 7:33 p.m.

MOTION carried.

MOTION by PLASTIRAS seconded by HARDY to postpone any action on the Rezoning Request for Residential One Family (R-1) to General Commercial (C-2); Located on the north side of Hall Road, 1,960 feet west of North Avenue; Section 35; Lorenzo Evola, Petitioner. Permanent Parcel 08-35-452-004; to allow each of the Commissioners to review the information from the public and to make a decision on each of the eleven items that was brought forth by the Planning Consultant; this item was then tabled to the next scheduled meeting on October 18, 2016.

MOTION carried.

(Open for Public Comments)

Lisa Nash, 56460 Birkdale, resident, questioned the procedure of the Planning Commission regarding the notification process and the cancelation of the Wolverine Macomb, LLC rezoning that was to be on the October 4, 2016 meeting agenda. She also questioned why there were two agendas on the website and why it wasn't made clearer to the residents that this was withdrawn and not just be cancelled. Mrs. Nash informed the Commission that over one thousand signatures have been gathered and the residents are watching and are very concerned.

Member PLASTIRAS then clarified with Mr. Meagher that item #5 was withdrawn and not tabled. Mr. Meagher made clear that the item has been withdrawn by the applicant and the township has no formal application for rezoning at this time. Member PLASTIRAS mentioned that she wanted to make it clear to the residents who had concerns that the item had been withdrawn and the Commission would not be making any decision on the item.

Kim Pizzo inquired as to the process and time frame the petitioner would go through when and if he resubmits a new rezoning request. Mr. Meagher gave the step by step process and stated from submittal to public hearing would be approximately thirty days. Mrs. Pizzo stated that she had concerns regarding the increase in traffic. Chairman OLIVER informed her that the township has no jurisdiction over the roads, the county owns the roads and they handle the traffic issues. Chairman OLIVER stated just because it's going to bring more traffic doesn't justify people not letting people do what they legally can do with their own property. Mrs. Pizzo made mention that the residents are worried about the depreciation of their home values with the rezoning request. Mr. Meagher mentioned the Commission does have criteria that cover the impact on the surrounding housing; he also mentioned that there is no proposal for apartments or condominiums only for a rezoning to R-2-L for multiple family and the only debate is on the rezoning itself and the impact that any type of development of an R-2-L zoning could have on the surrounding area.

PLANNING CONSULTANTS COMMENTS

Patrick Meagher informed the commission that the public hearing for finished floor elevations is set for November 1, 2016.

PLANNING COMMISSION COMMENTS

Chairman OLIVER thanked the audience for coming to the meeting and watching due process and government at work.

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Member TUCKFIELD asked Mr. Meagher if there was a time line on the possible revision to the sign ordinance. Mr. Meagher stated there is no time line but he would like to see it addressed over the next couple of months and would bring a formal amendment for review to the next meeting.

ADJOURNMENT

MOTION by SCIUTO seconded by PROVENZANO to adjourn the Planning Commission meeting at 7:52 p.m.

MOTION carried.

Respectfully submitted,

Charles Oliver, Chairman

Juliana Plastiras
Planning Commission Secretary