

MACOMB TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES AND PUBLIC HEARING  
TUESDAY, APRIL 2, 2019  
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LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MI 48042

PRESENT: CHARLES OLIVER, CHAIRMAN  
AARON TUCKFIELD, SECRETARY  
RICHARD BENTLEY, MEMBER  
MICHAEL HARDY, MEMBER  
JASPER SCIUTO, MEMBER  
NUNZIO PROVENZANO, MEMBER

ABSENT: ROGER KRZEMINSKI (Excused)

ALSO PRESENT: Henry Plachcinski, Planning Supervisor  
(Additional attendance on file at the Clerk's Office)

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

**ROLL CALL**

3. Secretary TUCKFIELD called the roll all members present.

Member KRZEMINSKI was absent and excused.

MOTION BY SCIUTO seconded by HARDY to eliminate member KRZEMINSKI'S name from any roll call votes

4. APPROVAL OF THE AGENDA

The agenda was reviewed and there were no additions or deletions. The Commission agreed to move Item A to Item C and Vice-Versa.

**MOTION by SCIUTO seconded by PREVENZANO to approve the agenda as discussed and amended with Item A being moved to Item C and Item C becoming Item A.**

**MOTION carried**

5. APPROVAL OF THE PREVIOUS MEETING MINUTES

The minutes of the previous meeting held on March 5, 2019 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by SCIUTO seconded by PROVENZANO to approve the minutes of the meeting of March 19, 2019 as presented.**

## **PUBLIC HEARING**

### **6. AGENDA ITEMS:**

#### **A. REZONING REQUEST; GENERAL COMMERCIAL (C-2) AND RESIDENTIAL URBAN ONE FAMILY (R-1) TO OFFICE LOW RISE (O-1)**

Permanent Parcels 08-35-476-026 and 08-35-476-042; Located on the north side of Hall Road, between North Branch and Deneweth. Hall Road Properties, LLC, Petitioner.

Henry Plachcinski, Planning Supervisor, stated the applicant is requesting that the Planning Commission review the application to have the property rezoned. The larger parcel is currently zoned C-2 and the smaller parcel is zoned R-1.

Peter Zingas, petitioner, was in attendance, and stated that this would be his third medical/surgical office site that he will be developing. Furthermore, he stated the highest and best use of the property would be an office use.

Member PROVENZANO asked Peter Zingas what type of office this would be.

Peter Zingas, petitioner, stated that this would be a surgical orthopedic outpatient office.

Member SCIUTO questioned if it would have normal office hours of 9-5 or 9-7.

Peter Zingas, petitioner, stated that was correct.

Chairman OLIVER asked Henry Plachcinski, Planning Supervisor, if O-1 would be a single-story building.

Henry Plachcinski, Planning Supervisor, stated that he would have to check the zoning ordinance.

Chairman OLIVER asked Peter Zingas if he had tenants lined up.

Peter Zingas, petitioner, stated he had a tenant lined up. He also stated that proposed office building was a 2 story 40,000 square foot building.

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Chairman OLIVER asked if there was a basement.

Peter Zingas, petitioner, stated there was no basement.

Henry Plachcinski, Planning Supervisor, stated the maximum height in an O-1 district is 2 stories.

Member TUCKFIELD asked about the ingress/egress to and from the site and if they expected to use the private roads.

Peter Zingas, petitioner, stated he did not expect to use the private roads.

Member TUCKFIELD stated his concerns about rezoning two separate parcels into an O-1 zone and the possibility of proposed development not taking place and then having an ingress/egress onto a private road. Lastly, he asked if he intended to combine the parcels.

Peter Zingas, petitioner, stated if both parcels are not zoned the same the project would not move forward as well as the parcels would be combined.

Member TUCKFIELD asked about the setback requirements for the proposed parking along the residential property to the north.

Henry Plachcinski, Planning Supervisor, read the requirements as stated in the zoning ordinance.

Member BENTLEY asked if access could be restricted to North Branch except for emergency vehicle access only instead of combining the parcels. Furthermore, he asked if a medical facility could be built in a C-2 district why was a rezoning sought.

Peter Zingas, petitioner, stated that they were looking for a less intense use and that is the reasoning for the rezoning request and wants nothing but an office on the site.

Member HARDY stated it has been mentioned that this would be a surgical center, but only a small portion of it. Is there any plan for the rest of the office?

Peter Zingas, petitioner, stated it would be offices along with the surgical offices.

Public Portion:

Crystal Lappin, 45212 Deneweth, stated her concern with the two stories and the added traffic concern.

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Vito Meatte, 45440 North Branch, stated his concern with the traffic and the current bus stop and indicated that he was glad to hear that there would not be fast food building.

Nancy Romero, 45562 North Branch, stated she had special need individuals and stated her concern with the additional traffic and/or parking.

Dannielle Faulkender, 45245 North Branch, stated the current situation was very scary to sit at the corner of North Branch and Hall Road waiting at the bus stop. She also asked what she would be looking as far as building, wall or landscaping and lastly if the houses abutting the property would be torn down should the rezoning be approved.

Chairman OLIVER stated that there would be another public hearing held when the site plan approaches the Planning Commission.

Public Portion closed.

Henry Plachcinski, Planning Supervisor, stated the access to the site is controlled by the Road Commission the that parcels being combined would be required during site plan review/approval process. He indicated the school bus stop was not the responsibility of the property owner, but that the township will work to facilitate discussions to change the current situation.

Member TUCKFIELD asked what type of buffer would be installed between a residential zoning and office.

Henry Plachcinski, Planning Supervisor, stated that a eight foot wide greenbelt or six foot high wall.

Member SCIUTO asked the petitioner if there were any problems with the wall and/or greenbelt.

Peter Zingas, petitioner, stated he would ensure that the site plan would comply with the standards.

Member Tuckfield asked if the R-1 parcel is currently non-conforming.

Henry Plachcinski, Planning Supervisor, stated the parcel is conforming and can stand on its own.

Member TUCKFIELD stated that he was not comfortable rezoning the R-1 parcel on its own without it being able to the meet the requirements of the O-1 district.

Member SCIUTO stated discussion had already taken place about the rezoning being contingent upon the combination of the parcels.

Peter Zingas, petitioner, stated he has no problem with the combination request.

Member BENTLEY asked Henry Plachcinski, Planning Supervisor, asked about the possibility of facilitating a meeting regarding the various traffic concerns as raised by the residents.

Henry Plachcinski, Planning Supervisor, stated that he would relay the information along with the correct point of contact to Patrick Meagher, Planning Director and James VanTiflin, Township Engineer.

Jeff Rizzo, representative, was in attendance and stated this was the first step in the process and the intent is to combine the parcels and recommended that the Planning Commission recommend the rezoning contingent upon the parcels being combined. Lastly, he noted that access would not be provided to the site unless the Fire Department required it.

A lengthy discussion ensued regarding the rezoning of the parcels separately.

Member TUCKFIELD asked Henry Plachcinski, Planning Supervisor, if he was comfortable with a conditional rezoning.

**MOTION by TUCKFIELD seconded by HARDY to recommend approval to the Township Board of Trustees the Rezoning Request of General Commercial (C-2) and Residential Urban One Family (R-1) to Office Low Rise (O-1); Permanent Parcels 08-35-476-026 and 08-35-476-042; Located on the north side of Hall Road, between North Branch and Deneweth. Hall Road Properties, LLC, Petitioner. The rezoning is contingent upon the parcels being combined and understanding the petitioner is willing to do so.**

**FOR THIS MOTION**

**AYES: TUCKFIELD, HARDY, SCIUTO, PROVENZANO, OLIVER, BENTLEY.**

**NAYS: NONE.**

**ABSENT: KRZRMINSKI**

**MOTION carried.**

**B. REZONING REQUEST; RESIDENTIAL URBAN ONE FAMILY (R-1) TO GENERAL COMMERCIAL (C-2)**

Permanent Parcel 08-35-477-051; Located on the north side of Hall Road, east of North Branch; Jason Kozak, Petitioner.

Henry Plachcinski, Planning Supervisor, stated the applicant is requesting that the Planning Commission review the application to have the property rezoned.

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Pete Snyder, representative, was in attendance and stated that there is no concept plan at this time. This parcel is Master Planned for commercial and in order to proceed it needs to be rezoned to commercial. Lastly, MDOT will control where the drive will be placed.

Member BENTLEY asked if O-1 fits your needs for the property verses C-2 which is more active.

Pete Snyder, representative, stated that they had looked at the various zoning classifications and without a real site plan moving forward makes it very speculative. He stated they were asking for the C-2 zoning classification since it meets the Master Plan.

Member BENTLEY asked what the plan would be for the area next to the residential area if the area was buildable.

Pete Snyder, representative, stated by ordinance that 40 feet must be a greenbelt along with a wall. He indicated the property is buildable.

Member TUCKFIELD asked Henry Plachcinski, Planning Supervisor, asked if the site would be required to water management.

Henry Plachcinski, Planning Supervisor, stated that was correct.

Public Portion:

Vito Meatte, 45440 North Branch, asked what C-2 meant and what the hours of the store would be. He indicated that he would have issues adding traffic to the already heavy traffic in the area. Lastly, if it would be possible to notify everybody on the street instead of just 300 feet since it's a dead end street and everyone will be affected by the change of the property.

Nancy Romero, 45562 North Branch, stated her concern with the possibility of a liquor store coming in and the people then parking on their street and getting drunk and leaving trash behind.

Mary Ann Buchholtz, 45245 North Branch, stated that her concern is for her special needs child along with the other little children in the area. In addition she has a concern for safety and if a building is put on the property what security measures are going to be put in place to ensure our children are in a safe environment and how are we going to feel safe as members of our street when we have the possibilities of businesses being brought forth and the residents living on the street having their lives changed.

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Dannielle Faulkender, 45245 North Branch, asked if it should be up to the developer to find solutions to the issues brought up about the traffic, hazardous bus stop and relocation of wildlife.

Jason Shuttle, 45166 North Branch, stated his concerns about the traffic, the light glare from the existing commercial business and flooding.

Member BENTLEY stated his concern with the traffic and when the Master Plan was put together having that strip being commercial.

Henry Plachcinski, Planning Supervisor, stated that the glare from any commercial properties is something we don't notice since there is no nighttime code enforcement, but the information will be forwarded to our code enforcement officer. Drainage is handled by the engineering department and to improve the traffic/bus stop if there is a contact the township will make a phone call, otherwise we will call the transportation department.

**MOTION by TUCKFIELD seconded by SCIUTO to recommend approval to the Township Board of Trustees the Rezoning Request; Residential Urban One Family (R-1) to General Commercial (C-2); Permanent Parcel 08-35-477-051; Located on the NORTH side of Hall Road, east of North Branch; Jason Kozak, Petitioner. The motion is based on the following three items; 1) That it abides by the Master Plan; 2) it is similar to the parcels to the east and west and the corridor 3) and the comments made by the Planning Department in support of the request.**

**FOR THIS MOTION**

**AYES: TUCKFIELD, SCIUTO, BENTLEY, HARDY, OLIVER, PROVENZANO.**

**NAYS: NONE.**

**ABSENT: KRZEMINSKI.**

**Motion carried.**

**C. TEXT AMENDMENT; M-1 ZONING DISTRICT, COMPREHENSIVE AMENDMENT**

Henry Plachcinski, Planning Supervisor, reviewed the proposed changes being either deletions or additions in the M-1 district pertaining to the permitted uses, special uses, commercial business and reducing various setback requirements. The proposed changes within the M-2 district lot sizes, structure height and setback requirements.

Member BENTLEY stated his concerns with the distance between buildings and the Fire Department requirements.

Member SCIUTO stated this was a long time in the making and appreciated the efforts.

Cliff Bara, 17463 Rocco Drive, stated he was trying to figure out who benefits from the changes to the M-1 district. At what point in time do the concerns of the residents become a factor in making decisions. Lastly, he stated his displeasure with the way the agenda had been amended.

Jams Clos, 17491 Rocco Drive, stated he sees no benefits to the residents of Macomb Township who live adjacent to industrial complexes. He stated he believes in greenspace and that he votes no this proposal.

Member TUCKFIELD asked for clarification on the amendment to the setback distance and screening requirement.

**MOTION by BENTLEY seconded by HARDY to postpone the Text Amendment; M-1 and M-2 Zoning District, Comprehensive Amendment to April 16, 2019.**

**MOTION carried.**

7. OLD BUSINESS

None.

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS\*

None.

9. COMMISSIONER COMMENTS

Member SCIUTO presented a handout booklet that outlines the various senior living developments.

Member PREVENZANO stated his concern with the system and the misunderstandings from the general public. If a proposal being presented meets the requirements then the township is obligated to approve the proposal.

Member TUCKFIELD stated he felt the public should be addressed prior to the start of the meetings and be told the obligations that the commission has when reviewing proposals. He thanked member SCIUTO for his ambition on being the driving force on getting the industrial/commercial amendments. Lastly, he mentioned that based upon his Master the Planning Commission is the party responsible for Master Plan and our Master Plan is only as good as what the residents voice in their concern and how its incorporated.

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Member BENTLEY asked if there had been any inquiry into the Road Commission regarding Romeo Plank/22 Mile Road improvements. Also, that the commission possibly take a section of the Master Plan at each meeting and review it since the development and recent amendments change the effect of how development proceeds.

Member HARDY stated he would like to see an outline of the pros/cons on Senior Living either under a PUD or Community Facility zoning.

10. ZBA LIAISON UPDATE

11. PLANNING DEPARTMENT ITEMS

Henry Plachcinski, Planning Supervisor, stated the Master Plan is currently being worked on along with Patrick Meagher, Planning Director, making a submittal of a grant application to MDNR to acquire park land.

12. ADJOURNMENT

**MOTION by SCIUTO seconded by HARDY to adjourn the Planning Commission meeting at 9:25 p.m.**

**MOTION carried.**

Respectfully submitted,

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Charles Oliver, Chairman

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Aaron Tuckfield, Planning Commission Secretary