

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, OCTOBER 15, 2019
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LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: CHARLES OLIVER, CHAIRMAN
MICHAEL HARDY, VICE CHAIRMAN
AARON TUCKFIELD, SECRETARY
ROGER KRZEMINSKI, MEMBER
JASPER SCIUTO, MEMBER
RICHARD BENTLEY, MEMBER

ABSENT: NUNZIO PROVENZANO, MEMBER (EXCUSED)

ALSO PRESENT: Thomas Esordi, Township Attorney
Patrick S. Meagher, Acting Planning Director
James L. VanTiflin, Township Engineer
(Additional attendance on file at the Clerk's Office)

1. Chairman OLIVER called the meeting to order at 7:04 p.m.
2. Pledge of Allegiance was recited.

ROLL CALL

3. Secretary TUCKFIELD called the roll. Member PROVENZANO was absent and excused.

MOTION by SCIUTO seconded by HARDY to eliminate Member PROVENZANO'S name from roll call votes.

MOTION carried.

4. APPROVAL OF THE PREVIOUS MEETING MINUTES

The minutes of the previous meeting held on October 1, 2019 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by TUCKFIELD seconded by BENTLEY to approve the minutes of the meeting of October 1, 2019 as presented.

MOTION carried.

5. APPROVAL OF THE AGENDA

The agenda was reviewed and the following discussion was had:

Chairman OLIVER stated that there had been some confusion with the notices for the rezoning (Items 7A and 7B). and therefore the easiest way to handle this was to postpone any action on these items until November 5, 2019 per the petitioner's request. He further noted that at the November 5, 2019 meeting he would allow public comments to be heard in case any public had not had the opportunity to speak regarding the rezoning requests.

Resident stated that this is the second time Item 7.b. has been before the Commission and nothing has taken place. The residents are adjusting their schedules and coming to these meetings and are not being able to be heard or get a resolution.

Member TUCKFIELD asked for clarification on postponement. Chairman OLIVER confirmed Member TUCKFIELD'S interpretation of postponement.

MOTION by KRZEMINSKI seconded by SCIUTO to postpone the items 7.A. and 7.B. to the agenda of November 5, 2019.

MOTION carried.

A 2 minute break was conducted.

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

MOTION carried.

PUBLIC HEARING

6. AGENDA ITEMS:

A. GENERAL DESIGN PLAN; DEERBROOK PUD

Permanent Parcel 08-14-300-013, 08-17-400-012; Located on the north side of 23 Mile Road, ½ mile east of Card Road; Section 14. 23 Mile Acquisitions, LLC, Petitioner.

Patrick S. Meagher, Acting Planning Director, gave a general overview of the development and outlined benefits of the development to Macomb Township. He further stated there were no objections from the reviewing Township Departments.

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Member TUCKFIELD asked about the zoning requirements and wanted to know which requirements should be looked at for a PUD.

Patrick S. Meagher, Acting Planning Director, stated that when you look at any development you start with taking a look at the core requirements and then look at any deviations from those standards to see if they fit based on the design of the PUD.

John Dell'Isola, representative, was in attendance and gave an overview of the concept design and the unique features of the development.

Member KRZEMINSKI asked if this project gets approved, when would construction start.

John Dell'Isola, representative stated they would like to start next year but understands they must go through the engineering plan review process.

Chairman OLIVER stated if this project gets approved, what would be the first step of construction, senior living or single-family homes. He also asked general design questions. (i.e. pathway through development, proximity to Water & Sewer Building, etc.)

John Dell'Isola stated the single-family development would be the first to be constructed as well as addressed Chairman OLIVER'S other questions.

Member KRZEMINSKI inquired about the timing of construction on the senior portion along with asking the Planner and Legal Counsel if it is not built what recourse does the Township have.

Patrick S. Meagher, Acting Planning Director, stated this development is being approved as a PUD which is formed under a development agreement and in order for it to change, both parties would have to agree to the requested modification. Otherwise, the property remains undeveloped until such time as an acceptable use is found for both parties.

Thomas Esordi, Township Attorney, stated if there is failure to comply with the agreement, the Township could go to court to enforce the terms of the PUD.

Member SCIUTO asked why the senior portion would not be developed first. This would allow families of members living within that portion to live in the single-family development and be closer to loved ones.

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John Dell'Isola, representative, stated if it was acceptable to the Township to proceed in that manner and they could provide the access and prep for the use, it could be considered. They are planning on the development of the single family first based on the construction of the detention basin and the extension of the sewer.

Member BENTLEY asked with the construction of the single family being done first does that mean the underground infrastructure, roads, and detention basin would need be done 100% prior to the rest of the development commencing (and thereby allow the assisted living development to start construction).

He also questioned if there had been any discussion between the New Haven and Chippewa Valley School districts on the splits of the property and the possibility of making the proposed development projects one district or the other.

John Dell'Isola, representative, stated a letter has been issued that indicates the school districts have agreed upon the splits and have been indicated in the plans.

Chairman OLIVER asked about the design of the senior living development and asked how many units were expected.

John Dell'Isola, representative, stated there would be 85 units. However, no building footprint has been decided upon at this time.

Member TUCKFIELD asked about the PUD process for this site.

Patrick S. Meagher, Acting Planning Director, stated they have already presented the conceptual plan previously and they are asking for General Design Plan approval and Preliminary Plan approval for the single-family homes. The other two developments will be submitted at a later time as site plans.

Member TUCKFIELD asked about the emergency access located between the buildings and quadplexes and wanted to confirm the number of stories on the senior housing.

John Dell'Isola, representative, stated they had looked at different options but have marked it as a fire access. The buildings would be limited to two stories.

Member TUCKFIELD asked the development representative if he would be fine with two stories being listed in the PUD agreement as a limitation.

John Dell'Isola, representative, stated if the Township was open to a third story, they would not be opposed to this option.

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Member TUCKFIELD asked to Patrick Meagher, Acting Planning Director and James Van Tiflin, Township Engineer, what the Township/Developer was benefitting from in the UD being proposed for this site. He asked if the sewer was the benefit and if it was, is it because it's serving a larger development.

James L. Van Tiflin, Township Engineer, stated in most other areas the main trunk line sewer runs down a major road. In this specific area of the Township, because of the location of the river, the sewer would be too deep if installed along Card Road due to the existing land elevation. The decision had been made many years ago to install the sewer along the river, up a collector road and that would be the sanitary sewer that would serve the area. Extensive review and analysis has been done with the review of this plan regarding sanitary sewer to allow for future development of upstream parcels and to avoid an additional pump station.

Public Portion: None.

Patrick S. Meagher, Acting Planning Director, stated the standard process would be to table this item after the public hearing. However, since there were no public comments, if the commission was comfortable making a decision and they feel that it is consistent with the standards, they could move forward and make a recommendation to approve the development.

MOTION by KRZEMINSKI seconded by HARDY to approve the General Design; Deerbrook PUD; Permanent Parcel 08-14-300-013, 08-17-400-012; Located on the north side of 23 Mile Road, ½ mile east of Card Road; Section 14. 23 Mile Acquisitions, LLC, Petitioner. This recommendation is conditioned upon the Commission finding the development consistent with the standards for a Special Land Use and find it consistent with the PUD standards.

ROLL CALL VOTE FOR THIS MOTION:

AYES: KRZEMINSKI, HARDY, SCIUTO, OLIVER, TUCKFIELD, BENTLEY

NAYS: NONE

ABSENT: PROVENZANO

MOTION carried.

Patrick S. Meagher, Acting Planning Director, stated that another motion was needed for the Preliminary Site Condominium approval to the Township Board of Trustees.

MOTION by HARDY seconded by KRZEMINSKI to recommend approval of the Preliminary Site Condominium; Deerbrook; Permanent Parcel 08-14-300-013, 08-17-400-012; Located on the north side of 23 Mile Road, ½ mile east of Card Road; Section 14. 23 Mile Acquisitions, LLC, Petitioner.

MOTION carried.

Member TUCKFIELD stated his concern with the first parcel on the left that has an easement that runs through it and asked if it could be worked out with engineering to design the parcel so that it can be built upon without any restrictions.

7. OLD BUSINESS

A. REZONING REQUEST; GENERAL COMMERCIAL (C-2) TO RESIDENTIAL MULTIPLE FAMILY MEDIUM DENSITY (R-2)

Permanent Parcel 08-07-300-016; Located on the northeast corner of 24 Mile Road and Hayes Road; Section 7. Sal-Mar Center, LLC, Petitioner. (postponed from September 17, 2019)

Postponed to November 5, 2019.

B. REZONING REQUEST; GENERAL COMMERCIAL (C-2) TO RESIDENTIAL MULTIPLE FAMILY HIGH DENSITY (R-2-H)

Permanent Parcel 08-33-400-019; Located on the northwest corner of Hall Road and Heydenreich Road; Section 33; Sal-Mar Royal Village, LLC, Petitioner.

Postponed to November 5, 2019.

C. IMPERVIOUS SURFACE REQUIREMENT DISCUSSION

Patrick S. Meagher, Acting Planning Director, stated he had not had the opportunity to discuss this item with James Van Tiflin and asked that the item be postponed till the next meeting.

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS*

Frank Cusumano, 16188 Jenny Drive, stated his displeasure of the postponements of the rezoning items and asked questions regarding the defect in the notice. He asked if traffic studies were being conducted on the high-density rezoning requests and spoke about the Great Lakes Water Authority contract with respect to water sewer rates and suggested to have developers fund a maintenance account for any future repairs for sewers.

9. COMMISSIONER COMMENTS

Member SCIUTO thanked the Board for help in putting in the temporary outdoor Pickleball courts in Macomb Corners Park until the permanent courts are installed.

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Member BENTLEY spoke regarding the impervious surface requirement discussion and requested that the appropriate Township Department indicate if this issue has been addressed/reviewed on items placed before the Planning Commission.

10. MACOMB TOWNSHIP BOARD OF TRUSTEE LIAISON UPDATE

Member KRZEMINSKI stated the library had received Final Plan approval and construction should be starting soon.

11. ZBA LIAISON UPDATE

Member TUCKFIELD stated there had been no items considered.

12. PLANNING DEPARTMENT ITEMS

None.

13. ADJOURNMENT

MOTION by SCIUTO seconded by TUCKFIELD to adjourn the Planning Commission meeting at 7:47 p.m.

MOTION carried.

Respectfully submitted,

Charles Oliver, Chairman

Aaron Tuckfield, Secretary

Beckie Kavanagh, Recording Secretary