

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, OCTOBER 20, 2020
PAGE 1 OF 8

LOCATION: VIRTUAL MEETING

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

ABSENT: NONE

ALSO PRESENT: Josh Bocks, Planning Director
Thomas Esordi, Legal Counsel
(Additional attendance on file at the Clerk's Office)

1. Chairman HARDY called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance was recited.
3. ROLL CALL

Chairman BENTLEY called the roll. All members present.

4. APPROVAL OF THE PREVIOUS MEETING MINUTES

The minutes of the previous meeting held on September 15, 2020 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by SCIUTO seconded by TUCKFIELD to approve the minutes of the meeting of September 15, 2020 as amended with the clarification of a question asked to Tom Esordi about making a non-conforming lot.

MOTION failed.

MOTION by SCIUTO seconded by TUCKFIELD to postpone the approval of the meeting minutes of September 15, 2020 until the November 5, 2020 meeting to receive clarification on Member TUCKFIELD'S concern.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

5. APPROVAL OF THE AGENDA

MOTION by SCIUTO seconded by TUCKFIELD to approve the agenda presented.

FOR THIS MOTION;

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

6. NEW BUSINESS/PUBLIC HEARINGS

7. **EXTENSION OF TIME-PRELIMINARY PLAN; Rockwood Park Site Condominium**

Permanent Parcel #08-28-376-023; Located on the north side of 21 Mile Road, ¼ mile east of Romeo Plank Road; Section 28. Mauro Engineering, Petitioner

Josh Bocks, Planning Director, presented the findings and recommendations and reviewed the proposed layout of the development.

Gasper Munaco, petitioner, was in attendance and stated that with the restraints placed on by MDEQ and COVID 19 we had experienced a lot of delays. Lastly, he indicated that he was looking for an extension to move forward to submit for and receive engineering approval.

Member OLIVER asked what the delay was for over six months.

Gasper Munaco, petitioner, stated he had been working with MDEQ and that process took longer than expected.

Member OLIVER asked Tom Esordi, Township Attorney, if a recommendation for approval were made for this site that it would have to be retroactive back to the expiration date of March.

Tom Esordi, Township Attorney, stated it would have to be retroactive to the time of expiration, due to the current state of affairs within the state of Michigan.

Member PROVENZANO asked procedurally if this was a valid request since it had expired. Further, if there was a requirement that when the extension of time is requested that you procedurally do it before the one year is up.

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, OCTOBER 20, 2020
PAGE 3 OF 8

Tom Esordi, Township Attorney, stated an extension should be requested before the expiration date.

Josh Bocks, Planning Director, stated someone would typically seek an extension prior to expiration, not after expiration. Although, we have granted an extension to a development when the Township had closed down, shortly after the Township had opened back up.

Tom Esordi, Township Attorney, stated that the plan that had received an extension of time granted to them had actually expired during the time the office were closed and unavailable.

A lengthy discussion was held on the time frame of when the petitioner reached out to the township in comparison to the plan that expired during the time the offices were closed. Also, about the extension being retroactive to the actual date of expiration.

Josh Bocks, Planning Director, asked for clarification as to which department they had been working with since Macomb Township does not have a DPW. He noted that there is a Building Department, Engineering Department.

Aaron Tuckfield asked Josh Bocks, Planning Director, if the request were to be denied what would be the next step.

Josh Bocks, Planning Director, stated if the extension were to be denied that they would be required to start the process over again.

Member TUCKFIELD asked if they were to start the process over again do you foresee any problems.

Josh Bocks, Planning Director, indicated that he did not unless they wanted to make changes to the previously approved plan.

Public Portion:

MOTION by TUCKFIELD seconded by SCIUTO to recommend approval of the Extension of Time for Preliminary Plan; Rockwood Park Site Condominiums; Permanent Parcel 08-28-376-023; Located on the north side of 21 Mile Road, ¼ mile east of Romeo Plank Road; Section 28. Mauro Engineering, Petitioner. This recommendation is retroactive to March 13, 2020 based upon a finding that due to the time of when their extension would have been required and due to the time the Township was closed based upon a pandemic and due to the disruption of the business community that time closed and building shut down instituted that

this extension is appropriate despite the fact that it falls outside of our typical allowance.

FOR THIS MOTION

AYES: TUCKFIELD, SCIUTO, OLIVER.

NAYS: PROVENZANO, HARDY, BENTLEY.

ABSENT: NONE.

Member PROVENZANO wanted to indicate why he voted Nay since he had not heard that because of the pandemic he could not come and ask for an extension.

Tom Esordi, Township Attorney, stated that the motion does not pass at this time with it being a tie, that majority rules. You can either move on or ask for additional motions.

Gaspar Munaco, petitioner, stated that we will now resubmit the same drawing and waste time. He indicated that they were held up at the State and that it did lapse during the shut down which does not make an excuse to communicate with the township and did not see a reason to resubmit the same drawing.

Giovanni Mauro, engineer for petitioner, stated he has been working diligently with the State to obtain all the necessary approvals. He stated that they apologize for no communication prior to the submittal of the extension of time letter.

MOTION failed.

8. PUD-CONCEPT; Freemont Development

Permanent Parcel #08-35-100-004; Located on the southeast corner of 21 Mile Road and Card Road, Section 35. MJC Land Investments LLC, Petitioner.

Josh Bocks, Planning Director, stated this was a mixture of residential and commercial and stated the department reviews have been submitted for your consideration and were now looking for further input from the commissioners. Lastly, this proposed development is a good fit with the surrounding development.

Mario Izzi, petitioner, was in attendance and stated instead of seeing 19 acres of C-3 that would like to do a transitional residential use into the existing land use.

Chairman HARDY asked if the petitioner had received the departmental reviews and that since this was a concept there would be no action taken at this meeting.

Member BENTLEY asked several questions regarding comments made from the departments and made his own suggestions of the proposed site.

Member TUCKFIELD stated his concern with possible traffic congestion, retention basin(s) and open space location.

Member OLIVER stated his concern with the proposed car wash and the stack up spaces provided.

Public Portion:

Ronald Poppa left a comment to Chairman OLIVER stating that the traffic heading into the car would be reduced if there are multiple lanes that merge into the entrance.

MOTION by OLIVER seconded by BENTLEY to close the public hearing at 7:52 p.m.

FOR THIS MOTON

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

9. PRELIMINARY PLAN; Wolverine Country Club Estates II

Permanent Parcel #08-05-301-009; Located on the east side of Romeo Plank Road, north of 25 Mile Road; Section 5. Lombardo Homes, Petitioner.

Josh Bocks, Planning Director, presented the findings and recommendations and reviewed the proposed layout of the development and the census was to recommend approval.

Jennifer Thomas, representative, was in attendance and presented a short presentation of the development.

Member TUCKFIELD asked about the connection of the stub street on the north side of the property that would cross the Consumer Energy easement.

Jennifer Thomas, representative, stated they are showing a connection and are not opposed to connecting or not connecting it, whatever the preferred method is.

Member TUCKFIELD asked about the phasing and if they had any preliminary construction accesses provided.

Jennifer Thomas, representative, stated that they planned on using Romeo Plank.

Member TUCKFIELD also mentioned about the possible need for a 3 to 1 ration variance.

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, OCTOBER 20, 2020
PAGE 6 OF 8

Member BENTLEY asked if there had been any discussions with the subdivision to the north and Consumers Energy to connect the stub streets and he also voiced his concern with a construction entrance.

Jennifer Thomas, representative, stated this was in the preliminary stage but were ready to have the necessary meetings and will then have answers for that.

Member OLIVER questioned about the starting time.

Jennifer Thomas stated they were looking at 2022.

Public Portion:

Chairman HARDY stated that he had received one comment from Joe Dubay about his concerns over new entrance off Romeo Plank Road due to existing traffic congestion.

Josh Bocks, Planning Director, stated the roads are controlled by the Department of Roads and they would address those items of concern.

MOTION by TUCKFIELD seconded by SCIUTO to close the public portion at 8:13 p.m.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTON carried.

MOTION by OLIVER seconded by PROVENZANO to recommend approval to the Township Board of Trustees the Preliminary Plan; Wolverine Country Club Estates II; Permanent Parcel No. 08-05-301-009; Located on the east side of Romeo Plank Road, north of 25 Mile Road; Section 5. Lombardo Homes, Petitioner.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

10. OLD BUSINESS

None.

11. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

12. COMMISSIONER COMMENTS

Chairman HARDY stated that Retired Firefighter Michael O'Lear passed away who was very well admired by those in the community and wanted to give him his respect.

Member PROVENZANO asked Member OLIVER if the firefighter he had mentioned who would be walking to Grand Rapids made the 140-mile journey.

Member OLIVER stated that he had and raised money for cancer for firefighters. He also commented on Firefighter Michael O'Lear and how passionate he was as a firefighter.

Member PROVENZANO stated he concerns with the PUD and the requirements to be met for the Special Land Use in order to receive approval and move forward.

Member SCIUTO thanked Josh Bocks and the Planning Department for the work on the Master Plan and the workshop meeting that had been held last Wednesday. He indicated that this was a very good tool for the residents to find out about the Master Plan.

Member TUCKFIELD also stated his appreciation for the work done on the Master Plan workshop meeting. He also addressed his view on the PUD application and them meeting the standards to the Special Land Use in order to receive approval.

13. MACOMB TOWNSHIP BOARD OF TRUSTEE LIAISON UPDATE

Member OLIVER stated the Township had hired a Election Coordinator as well as a Building Inspector and in the future the Planning Department will receive a Review Analyst who will be able to assist in plan review.

14. ZBA LIAISON UPDATE

None.

15. PLANNING DEPARTMENT ITEMS

Josh Bocks, Planning Director, thanked those members for the credit given to him for the work done on the Master Plan and encouraged all public participation with the workshop meetings.

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, OCTOBER 20, 2020
PAGE 8 OF 8

Chairman HARDY asked if the township had a database with the Homeowners Association.

Josh Bocks, Planning Director, stated there was not.

16. ADJOURNMENT

MOTION by SCIUTO seconded by TUCKFIELD to adjourn the Planning Commission meeting at 8:36 p.m.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

Respectfully submitted,

Michael Hardy, Chairman

Richard Bentley, Secretary