

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, FEBRUARY 2, 2021
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LOCATION: VIRTUAL MEETING

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

ABSENT: NONE.

ALSO PRESENT: Josh Bocks, Planning Director
David Scurto, Planning Consultant
Ben Aloia, 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

Secretary BENTLEY called the roll. All members were present.

4. APPROVAL OF THE PREVIOUS MEETING MINUTES

The minutes of the previous meeting held on January 19, 2021 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by SPATAFORA seconded by BENTLEY to approve the minutes of the meeting of January 19, 2021 as presented.

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

5. APPROVAL OF THE AGENDA

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

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

6. NEW BUSINESS/PUBLIC HEARINGS

a. SITE PLAN; SAFESstor 23

Permanent Parcel #08-20-100-018; Located on the south side of 23 Mile Road approximately ¼ mile west of Romeo Plank Road; Section 20. SAFStor Real Estate Co., Petitioner.

Josh Bocks, Planning Director, explained that the overall site had been an approved Consent Judgment that predates him being at the township. The consent judgment already approves the building type, design, location and use. In addition, access to the property had been approved and established by the Planning Commission through the Elite Corporate Park site plan that had been approved May 2020. The Planning Commissions responsibility for this project is to review the parking and landscape requirements for this development. Lastly, this is a three story building which has been reviewed by all appropriate departments and are recommending approval.

Member SPATAFORA stated that for the interest of full disclosure and to avoid any improprieties he wanted to recuse himself from any discussion and/or motion from this item since he is employed by Landtec Companies of which Elite Sports Ventures, LLC is the legal owner of the property in question.

John Williams, petitioner, was in attendance and stated that he appreciated the staff working with them and the time to be heard in front of the board and looked forward to bringing SAFESstor to the community.

Member BENTLEY stated his concerns with the dockwells and the possibility of blocking the maneuvering lanes during that time and his concerns with the landscaping that has been provided.

David Scurto, Planning Consultant, stated the site plan that Member BENTLEY is referring to had been approved by Consent Judgment by the Planning Commission and that the Township Engineer had reviewed it and had been approved. The only note that needed to be made was that the landscaping needs to be sodded and irrigated.

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David Williams, petitioner, stated the reference to loading dock accurate from a visual standpoint. They are simply visually aesthetic pleasing sliding glass doors where a box truck can back up and unload.

Member OLIVER asked about the screening concerns.

David Williams, petitioner, stated the screening has been addressed through the consent judgment and that the site plan that has been submitted address the sodding, landscape and trees that will be planted next to the road as well as the shrubbery that will be planted adjacent to the island next to the loading areas and feels that they have adequately addressed that and that the consent judgment has found this to be in compliance.

Dave Scurto, Planning Consultant, stated the township engineer had looked at the site restrictions prior to commenting on the amendment to the consent judgment.

Member TUCKFIELD asked Dave Scurto, Planning Consultant, what the consent judgment did not cover.

Dave Scurto, Planning Consultant, stated it did not cover the number of parking spaces and landscaping. Everything dealing with the building, access, truck size and waste storage was covered by the consent judgment.

Member TUCKFIELD stated there were some comments from the Building Department with regards to access and that he had comments with regards to the waste storage being either inside or outside.

Dave Scurto, Planning Consultant, stated he could comment on the waste storage and the way the building is laid out there was concern with collect the waste inside and on the day of waste pick up they will roll the garbage out in which they have a time frame for it to be placed outside.

Member TUCKFIELD also stated his concern with the placement of air conditioner units being located and wondered if this was something within our review and approval.

Dave Scurto, Planning Consultant, stated he did not recall the air conditioner units being addressed in the consent judgement and asked if the petitioner could step in and address that question.

David Williams, petitioner, stated the air conditioning units were located on the roof.

Member TUCKFIELD asked if that was noted somewhere on the drawing.

David Williams, petitioner, stated that he could assure there would not be any air conditioner units located in the front yard.

Chairman HARDY opened the public hearing at 7:20 p.m.

Rachael Badalamenti, 17500 23 Mile, stated a concern that Foam Factory has is the traffic that may be created with their property located to the east as well as having access available for emergency vehicles around their entire site.

Josh Bocks, Planning Director, stated the driveway that currently exists out there would be removed and a new road would be installed by Elite Complex and the new one that would be constructed is sufficiently wider than the existing driveway.

Rachael Badalamenti, 17500 23 Mile, also indicated that when the consent judgment was being discussed was the storm sewer water being dumped into the pond that connects to their property because they had not agreed on anything that had been discussed or proposed.

Josh Bocks, Planning Director, stated he was not aware of any storm sewer concerns. However, he does know that everything had been looked at as part of the Elite Complex as a whole and that they are currently working towards the engineering phase and would assume all issues would be addressed in the engineering phase.

MOTION by SCIUTO seconded by TUCKFIELD to close the public portion at 7:24 p.m.

FOR THIS MOTION

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

NAYES: NONE.

ABSNET: NONE.

ABSTAIN: SPATAFORA.

MOTION carried.

MOTION by TUCKFIELD seconded by OLIVER to approve the Site Plan; SAFESTor 23; Permanent Parcel #08-20-100-018; Located on the south side of 23 Mile Road approximately ¼ mile west of Romeo Plank Road; Section 20. SAFStor Real Estate Co., Petitioner. This approval is based upon the recommendation of our staff and the passing the applicable criteria that remains after considering those items that are taken care of in the consent judgment.

FOR THIS MOTION

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

NAYS: NONE.

ABSTAIN: SPATAFORA.

ABSENT: NONE.

MOTION carried.

b. PRELIMINARY PLAN; Cortona Park Site Condominium

Permanent Parcel 08-05-100-021 Located on the south side of 26 Mile Road, east of Romeo Plank Road; Section 05. Salvatore DiMercurio, Petitioner.

Josh Bocks, Planning Director, gave a brief review of the proposed development and stated that all departments were recommending approval.

Salvatore DiMercurio, petitioner, was in attendance to answer any questions.

Member BENTLEY questioned lot 3 shown on the plan and stated his concern with the depth to width ratio of it. Also lots 1 through 4 had a dimension that runs through the center and wants clarification on that number.

Bill Thompson, representative, stated the lots the Member BENTLEY were referring to are showing the lot depth as required by the ordinance.

Member TUCKFIELD asked about the inconsistencies that were noted on Dave Scurto's review which were acreage and feets and asked if they had been taken care of on this drawing.

Dave Scurto, Planning Consultant, stated that all items had been corrected.

Chairman HARDY opened the public portion at 7:37 p.m.

With no one from the public wanting to speak MOTION by SPATAFORA seconded by SCIUTO to close the public hearing at 7:38 p.m.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

MOTION by OLIVER seconded by SPATAFORA to recommend approval to the Township Board of Trustees the Preliminary Plan; Cortona Park Site Condominium; Permanent Parcel 08-05-100-021 Located on the south side of 26 Mile Road, east of Romeo Plank Road; Section 05. Salvatore DiMercurio, Petitioner. This approval is a conditioned upon the east line description being updated to match the survey.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

c. FINAL PLAN; Milano Industrial Site Condominium

Permanent Parcel 08-18-400-014; Located on the north side of 23 Mile Road, west of Romeo Plank Road; Section 18. Leone Construction, Petitioner.

Josh Bocks, Planning Director, stated this was an industrial site condo and what they will be doing in breaking up the larger parcel as presented before you. When each unit is developed in the future that is when you will see the building footprints, parking lots and things of that nature.

Dave Scurto, Planning Consultant, stated this is the final approval for a site condominium development and all engineering standards have been met along with all other requirements being met at this time.

Member TUCKFIELD asked Dave Scurto about the proper timing for screening requirements is at the point of site plan when each building is being developed.

Dave Scurto, Planning Consultant, stated that at this time they are putting a screen wall in place that meets zoning requirements.

Member OLIVER asked when a potential lot/unit buyer purchases their lot the screening and wall will already be in place.

Dave Scurto, Planning Consultant, stated that is correct.

Member SPATAFORA commented on the landscaping and asked if behind units 5 and 6 it was noted as Milano Park and wanted to know if that was an area of green space.

Dave Scurto, Planning Consultant, stated that he believed that was an underground sewer easement.

Member BENTLEY asked about lots 3 and 4 and stated that there was a dash line that he could not read and wondered if that dash line that runs through lots 3 and 4 was part of a underground utility or part of an easement. If it were an easement he did not understand it.

Dave Scurto, Planning Consultant, stated he believed the easement only went behind units 5 and 6.

A lengthy discussion followed regarding the easement being addressed by Member BENTLEY.

Chairman HARDY opened the public hearing at 7:56 p.m.

With no one from the public wanting to speak MOTION by OLIVER seconded by SPATAFORA to close the public hearing at 7:57 p.m.

FOR THIS MOTION

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

NAYS: NONE

ABSENT: NONE.

MOTION carried.

MOTION by SPATAFORA seconded by TUCKFIELD to approve the Final Plan; Milano Industrial Site Condominium; Permanent Parcel 08-18-400-014; Located on the north side of 23 Mile Road, west of Romeo Plank Road; Section 18. Leone Construction, Petitioner. This approval is based on the Planning Directors presentation and the discussion that had been held.

FOR THIS MOTION

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

NAYS: BENTLEY.

ABSENT: NONE.

MOTION carried.

OLD BUSINESS

None.

7. PUBLIC COMMENTS ON NON-AGNEDA ITEMS

None.

8. COMMISSIONER COMMENTS

Member SCIUTO stated that he would like to have the by-laws of the Planning Commission reviewed and asked that each member review them prior to the next meeting to see if any updates or changes need to be made.

Member TUCKFIELD stated his concerns with Consent Judgments and the roll that the Planning Commission plays with each situation.

Ben Aloia, Township Legal Counsel, stated he would like to be able to review the consent judgments prior to each meeting which will allow him to better advise in terms of the boundaries in which you need to adhere to.

Member BENTLEY also asked for there to more clarification provided for the review/approval of the Consent Judgments that appear before the board.

Member PROVENZANO asked if a copy of the consent judgment could be provided in the Planning Commissions packet for review.

9. MACOMB TOWNSHIP BOARD OF TRUSTEES LIASION UPDATE

Member OLIVER stated the Board had hired a new legal counsel, labor attorney and a new HR Director. The interview process was quite intense and done very professionally by all involved.

Chairman HARDY asked about the sign that is on the Fire Station and if were permanent.

Member OLIVER stated he did not believe that it was but could contact the Fire Chief for verification.

Chairman HARDY stated that it did not match the new design of the facility.

10. ZBA LIAISON UPDATE

Member TUCKFIELD stated there would be a meeting on February 4, 2021. He mentioned that there have been several width to depth variance requests and had been advised that when an item comes before the board that it needs to be looked at to see if it needs to be updated.

11. PLANNING DEPARTMENT ITEMS

Josh Bocks, Planning Director, stated there were no items for the upcoming meeting of February 16, 2021. There are already items scheduled for March 2, 2021 along with having a Zoning Board of Appeals meeting as indicated by Member TUCKFIELD and that there were items already received for the March ZBA meeting. Lastly, he stated they are moving forward with the Master Plan.

Member BENTLEY stated even though there are no agenda items for February 16, 2021 if some of the By-Law items could be addressed as well as the Zoning Ordinance.

Chairman HARDY stated that February 16, 2021 would be a work session meeting but still open on the public.

14. ADJOURNMENT

MOTION by SCIUTO seconded by SPATAFORA to adjourn the Planning Commission meeting at 8:19 p.m.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

Respectfully submitted,

Michael Hardy, Chairman

Richard Bentley, Secretary

Beckie Kavanagh, Recording Secretary