

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, AUGUST 18, 2020
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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
David Scurto, Planning Consultant
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

Secretary BENTLEY called the roll. All member present.

4. APPROVAL OF THE PREVIOUS MEETING MINUTES

The minutes of the previous meeting held on August 5, 2020 were reviewed and any additions, corrections or deletions were discussed and made.

Chairman HARDY noted that Member BENTLEY'S absent was excused at the August 5, 2020 meeting.

MOTION by SCIUTO seconded by PROVENZANO to approve the minutes of the meeting of August 5, 2020 as amended.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

5. APPROVAL OF THE AGENDA

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

FOR THIS MOTION;

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

NAYS: NONE.
ABSENT: NONE.
MOTION carried.

6. NEW BUSINESS/PUBLIC HEARINGS

A. **EXTENSION OF TIME; PRELIMINARY PLAN; MISTWOOD ESTATES SITE CONDOMINIUMS**

Permanent Parcel 08-24-201-018; Located on the south side of 23 Mile Road, ¼ mile east of North Avenue; Section 24. Concorde Associates, LLC, Petitioner.

Josh Bocks, Planning Director, presented the findings and recommendations and noted that internal departments were recommending approval.

Public Portion: None.

MOTION by SCIUTO seconded by BENTLEY to approve a one year Extension of Time; Preliminary Plan; Mistwood Estates Site Condominiums; Permanent Parcel 08-24-201-018; Located on the south side of 23 Mile Road, ¼ mile east of North Avenue; Section 24. Concorde Associates, LLC, Petitioner. This recommendation is based upon the Planning Consultants recommendation.

FOR THIS MOTION

AYES: SCIUTO, BENTLEY, PROVENZANO, OLIVER, HARDY, TUCKFIELD.
NAYS: NONE.
ABSENT: NONE.
MOTION carried.

B. **SPECIAL LAND USE; 23 MILE AND CARD DEVELOPMENT**

Permanent Parcel 08-22-200-005, 08-22-200-014 and 08-22-200-015; Located on the southwest corner of 23 Mile Road and Card Road; Section 22. Fadi Askar, Petitioner.

Josh Bocks, Planning Director, reviewed the proposal and indicated the need for the Special Land Use is due to the petitioner wanting to construct a drive thru window(s) with the proposed development.

Fadi Askar, petitioner, was in attendance.

Bill Thompson and Josh King, representatives, were also in attendance and shared the proposed development design and the phasing via computer access.

Member SCIUTO asked if the parcels have been combined.

Bill Thompson, representative, stated the combination of the parcels was contingent upon site plan approval.

Member SCIUTO also asked if there would be any screening around the drive-thru.

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Bill Thompson, representative, the ordinance requires 300 foot separation from a drive-thru window to residential zoned property and that a variance had been granted for a distance of 150 feet because of the flood plains that surround the property.

Member TUCKFIELD asked if the Special Land Use being sought is going to be for the first phase or for all phases that contain a drive-thru.

Josh Bocks, Planning Director, stated he was under the impression that only Phase I and II were being considered since the parcels had not been combined at this time.

Dave Scurto, Planning Consultant, stated the Special Land Use would only be for the drive-thru that is adjacent to the gas station and Buscemi's. Any future Special Lane Uses will have to be applied for and a new case.

Member TUCKFIELD asked for clarification on whether the Special Land Use runs with the land and we are granting a use of a drive-thru or is it specific to the drive-thru shown on the plan.

Dave Scurto, Planning Consultant, stated the Special Land Use approval does not run with the land it runs with the business.

Member BENTLEY asked if the required parking for Phase I if it included the area just west of Phase IV.

Bill Thompson, representative, said it was required.

Member BENTLEY commented on the possible pedestrian congestion due to the gas station and the drive-thru.

Member OLIVER asked if the Macomb County Road Commission had reviewed the proposal.

Bill Thompson, representative, stated they have a copy the plan but that they would not react to it until such time as there was site plan approval.

Member OLIVER stated his concern was with the two entrance/exits by the intersection and trying to head west bond on 23 Mile Road. He also asked who would be responsible for the pedestrian bridge once 23 Mile Road is expanded or would the county.

Bill Thompson, representative, stated the pedestrian bridge would be the responsibility of the developer.

Discussion was held regarding the outside sales and maintaining the pedestrian walkway.

Member TUCKFIELD stated his concerns with the repetition of this Special Land Use approval to the southwest intersection of 23 Mile Road and Romeo Plank Road and how the traffic will interface with the traffic along 23 Mile Road.

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Bill Thompson, representative, stated the traffic congestion at 23 Mile Road and Romeo Plank in caused the narrowing of the road from 4 lanes to 2 lanes.

Dave Scurto, Planning Consultant, stated that the exterior of the proposed site plan was beyond the Planning Commission authority.

Member SCUITO asked if the outside sales were going to be seasonal or permanent.

Bill Thompson, representative, indicated that it had not been discussed yet.

Public Portion: None.

MOTION by TUCKFIELD seconded by SCIUTO to close the public portion at 7:43 p.m. on August 18, 2020.

FOR THIS MOTON

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

MOTION by TUCKFIELD seconded by OLIVER to approve the Special Land Use; 23 and Card Development; Permanent Parcel(s) 08-22-200-005 and 08-22-200-014 and 08-22-200-015; Located on the southwest corner of 23 Mile Road and Card Road; Section 22; Fadi Askar, Petitioner. The Special Land Use is approved pursuant to allowing a drive-thru on building 1 as per the plans attached to the Planning Commission packet along with the department head recommendations and that is fits in with the zoning district and the surrounding development and land use.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

C. SITE PLAN; 23 MILE AND CARD DEVELPOMENT

Permanent Parcel 08-22-200-005, 08-22-200-014 and 08-22-200-015; Located on the southwest corner of 23 Mile Road and Card Road; Section 22. Fadi Askar, Petitioner.

Josh Bocks, Planning Director, reviewed the proposed plan and indicated the departments were recommending approval.

Bill Thompson, representative, was in attendance.

Public Portion: None

MOTION by SCIUTO seconded by PROVENZANO to close the public portion at 7:49 p.m on August 18, 2020.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

Member TUCKFIELD and Member BENTLEY voiced their concern on the various parking locations as shown on the plan.

MOTION by TUCKFIELD seconded by PROVENZANO to approve the Site Plan; 23 and Card Development ; Permanent Parcel(s) 08-22-200-005 and 08-22-200-014 and 08-22-200-015; Located on the southwest corner of 23 Mile Road and Card Road; Section 22; Fadi Askar, Petitioner. This approval is based on the recommendations from the department heads and that it matches the requirements and fits into the area.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

D. PRELIMINARY PLAN; Penzien Estates Site Condominiums

Permanent Parcel 08-08-200-009; Located on the south side of 25 Mile Road, east of Romeo Plank Road; Section 8. Roberto Vitale, Petitioner.

Josh Bocks, Planning Director, stated this had previously been before you but had been tabled to resolve some outstanding issues regarding traffic flow.

Bill Thompson, representative, was in attendance.

Member TUCKFIELD questioned about the construction drive and once the construction drive is removed would it look similar to the original submitted plan.

Josh Bocks, Planning Director, reviewed the proposed building schedule.

Member OLIVER verified that the construction road will be used until the last lot on 25 Mile Road is built out.

Bill Thompson, representative, stated that was correct.

Member BENTLEY asked about the discussion on the signage for this proposed development and that it would be on the lots fronting 25 Mile Road, however, there would be no entrance provided to them and people would question how to access the site.

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Roberto Vitale, petitioner, stated he has already had multiple inquires on the site and that he is doing presales and would go from there.

Member BENTLEY also voiced his concern over the construction entrance along to when the first home is built and that the construction road would be removed.

Member OLIVER stated that the developer is also the builder and would be able to contact the necessary people of how to access the site.

Member SCIUTO asked Roberto Vitale if the proposed development would have their own Homeowners Association.

Roberto Vitale, petitioner, stated he was waiting on more information to be received and would then look into the establishment of the homeowner's association.

Public Portion:

Joseph Koscica, 17761 Huron, talked about the signage of the existing Penzien Farms and if it was a requirement to have signage for each development

William Smith, 54297 Stillwater, stated he appreciated the changes made from the previous submittal and that would be good for the neighborhood.

Trevor Baker, 17700 25 Mile Road, stated there was a sidewalk to the east of his home and then there will be a sidewalk that will be to the west of him and wondered how it will effect his property.

Joe Koscica, 17761 Huron, wondered about the separation between Penzien Farms and Penzien Estates and what that would be like.

Dave Scurto and Josh Bocks, stated he did not believe that signage identification was required for a development.

Roberto Vitale, petitioner, stated that most of the trees that are on the property line will most likely be removed to allow for the installation of the utilities.

Josh Bocks, Planning Director, stated that the sidewalks would most likely would fall under the sidewalk gap closure program.

MOTION by BENTLEY seconded by OLIVER to close the public portion at 8:18 p.m. on August 18, 2020.

FOR THIS MOTION

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

NAYS: NONE.

MOTION carried.

MOTION by OLIVER seconded by SCIUTO to recommend approval to the Township Board of Trustees the Preliminary Plan; Penzien Estates Site Condominiums; Permanent Parcel 08-08-200-009; Located on the south side of 25 Mile Road, east of Romeo Plank Road; Section 8. Roberto Vitale, Petitioner.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

7. OLD BUSINESS

None.

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS*

None.

9. REVIEW OF BY-LAWS

Josh Bocks, Planning Director, stated he would be happy to discuss any items within the By-Laws.

Member SCIUTO suggested that every year the By-Laws should be reviewed at the time the election of officers is held.

Discussion was held on preparing the annual report, the possibility of elected officials holding positions of chairman or vice-chairman and about how to host a zoom meeting.

Josh Bocks, Planning Director, indicated that he would prepare a draft and have it circulated for review.

10. COMMISSIONER COMMENTS

Member SCIUTO stated he was at the new property on the south side of 26 Mile Road and questioned about the walking trails and wasn't sure how far the trails actually went and wondered if the Parks and Recreation Director could mark it off along with placing better location signage.

Member TUCKFIELD stated he also visited the site and walked the nature trail and through it was a very rustic site. He also asked if there was any clarity on how meetings are being held from the state government.

Thomas Esordi, Township Attorney, stated there was a new executive order in place but that there is still a limit of 10 people allowed in a gathering.

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Member TUCKFIELD asked if there was a known date on an end date to the current mode the township is operating.

Thomas Esordi, Township Attorney, stated the township is anticipating this to go on for several months.

Member TUCKFIELD asked about any updates on the Master Plan.

Dave Scurto, Planning Consultant, stated that all of the background studies have been done and are being organized along with trying to figure a way integrate public comments. He noted that the background should be to them before September.

Chairman HARDY asked if there was a way to be able to see the citizens who are commenting at the meetings

11. MACOMB TOWNSHIP BOARD OF TRUSTEE LIAISON UPDATE

Member OLIVER stated the Board on August 12, 2020 had agreed to continue the sidewalk gap closure program and that it helps to bring the community together and thanked everyone involved in that program.

He also indicated he visited the 26 Mile Road property and indicated there was potential for the site.

12. ZBA LIAISON UPDATE

Member TUCKFIELD reviewed the items that had been presented before the Board. He also echoed the desire to have the ability to see the citizens who are speaking our meetings.

13. PLANNING DEPARTMENT ITEMS

Josh Bocks, Planning Director, stated there is a lot to come forward with the Master Plan and that the department is trying to go electronic and that applications are being updated to indicate that process.

13. ADJOURNMENT

MOTION by TUCKFIELD seconded by SCIUTO to adjourn the Planning Commission meeting at 8:52p.m.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

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Respectfully submitted,

Michael Hardy, Chairman

Richard Bentley, Secretary