

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, SEPTEMBER 15, 2020
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LOCATION: VIRTUAL MEETING

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

ABSENT: RICHARD BENTLEY, SECRETARY

ALSO PRESENT: David Scurto, Planning Consultant
James L. Van Tiflin, Township Engineer
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

Member TUCKFIELD called the roll. Member BENTLEY was absent and excused.

Chairman HARDY asked for a moment of silence for Dean Ausilio who was a former Planning Commission and Zoning Board of Appeal member.

MOTION by SCIUTO seconded by OLIVER to eliminate Member BENTLEY'S name from roll call votes.

FOR THIS MOTION

AYES: SCUITO, OLIVER, PROVENZANO, HARDY, TUCKFIELD.

NAYS: NONE.

ABSENT: BENTLEY.

MOTION carried.

4. APPROVAL OF THE PREVIOUS MEETING MINUTES

The minutes of the previous meeting held on September 1, 2020 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 September 1, 2020 as presented.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: BENTLEY.

MOTION carried.

5. APPROVAL OF THE AGENDA

Chairman HARDY indicated that Josh Bocks, Planning Director, had emailed out this afternoon that a second item was being added which is a Temporary Ground Sign for Char Estates

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

FOR THIS MOTION;

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

NAYS: NONE.

ABSENT: BENTLEY.

MOTION carried.

6. NEW BUSINESS/PUBLIC HEARINGS

A. FINAL PLAN; Elite Corporate Park

Permanent Parcel 08-20-100-018; Located on the south side of 23 Mile Road, west of Romeo Plank Road; Section 20. Elite Corporate Park, LLC, Petitioner.

Dave Scurto, Planning Consultant, presented the findings and recommendations and reviewed the proposed layout of the development.

Tom Kalas, representative, was in attendance and stated they were seeking site plan approval for the for the road configuration and lot layout that is pursuant to a Consent Judgment that was entered into with the courts on October 16, 2017. He mentioned the proposed Consent Judgment was for site 3.

Dominic Geric, and Dan Spatafora, representatives with Elite Corporate Park, LLC, were also in attendance.

Jeff Rizzo, representative (engineer), was in attendance.

Dave Scurto, Planning Consultant, stated that the landscape plan and plant schedule must be adjusted to match.

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Member TUCKFIELD asked if the landscaping would be at the front entrance or would it buffer the surrounding residential developments and what the Consent Judgment covered and what we are able to do/not do with the Final Plan (ie-the retention basin being placed at the rear of the development to provide more of a buffer to the residential area.

Dave Scurto, Planning Consultant, reviewed the industrial subdivision development in the same way a residential site condominium is reviewed.

James L. Van Tiflin, Township Engineer, stated the Consent Judgment has addressed many of the issues you have discussed. There was a concept plan that had been approved as part of the Consent Judgment that is basically the same configuration presented before you and that it also covered the preliminary plan portion of the process and gave the developers some flexibility as to what they could do as far as site condominiums or simple splits should they decide to proceed with a site condominium.

Member TUCKFIELD stated there was an easement along the south property line and was concerned with the possibility of variance request(s) being applied for to not construct the masonry wall due to the easement.

Member OLIVER asked about a previous driveway that went around the property which is no longer shown and wondered if it would be added back in.

Dominic Geric, petitioner, stated the drive that in the rear parking lot is now under the new pond that is sitting there and have offered the owners of Foam Factory to replace the drive and connect with the new drive. Permission to replace it has not been received.

Member OLIVER asked if they had documentation of that offer because his fear is if the Foam Factory needs to do anything in the future the site will have to be revisited and the ordinance will require them a drive around the property. He indicated that he wanted to be able to produce verification that they had been offered the opportunity to install that driveway that had been turned down.

Tom Kalas, representative, indicated that he has personally dealt with their attorney and indicated that they had been denied any and all access to their property and from making any improvement on their property whatsoever.

Member OLIVER asked if they had offered those improvements.

Tom Kalas, representative, stated they had along with offering them a storm water easement and other improvements that my client was willing to do at his cost and those were all denied.

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Member TUCKFIELD asked if the communication to Foam Factory is something that could be shared with the Township and if there was any reason given why they denied the offer.

Tom Kalas, representative, stated he did have an email from their attorney but that it was client confidential correspondence, but would go on record stating that an email was received stating they specifically denied all access to the Foam Factory property and the ability to make any improvements to their property. All we can control is what happens to our site and we have to move forward at this point.

Member TUCKFIELD asked Tom Esordi, Township Attorney, if the township were to cause any problems by recommending improvements that are going to be a potentially non-conforming lot on the rear portion of the Foam Factory property. Are we ok approving this knowing that it will cause Foam Factory to be non-conforming?

Dominic Geric, petitioner, stated there will still be a 10 foot access from Executive Drive that they can still access the rear of their property.

Tom Esordi, Township Attorney, indicated yes to Member TUCKFIELD'S question.

Chairman HARDY asked what type of landscaping was going to be put in there to ensure our community is taken care of.

Dave Scurto, Planning Consultant, stated the approval is for the lot layout and a street layout. There was not a detailed landscaping plan required for backyards at this time. Screening and landscape ordinance will be reviewed at the time development of a property happens.

Public Portion:

MOTION by OLIVER seconded by SCIUTO to close the public portion.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: BENTLEY.

MOTION carried.

Member TUCKFIELD stated that the individual who had been trying to speak had texted him directly indicating he had trouble unmuting himself to speak and was wondering if he could be allowed to speak through Aaron's cell phone.

Chairman HARDY stated that he would like to have from the community to have their say.

Cliff Bara, 17463 Rocco Drive, stated he was located on the south property line and had questions on the setback to the easements, lighting/shielding abutting residential, walls and greenbelts.

Dave Scurto, Planning Consultant, stated those questions are premature at this time but would be heard/answered at each site plan approval.

A resident named Mary Ann, asked where Highland Hills is on the map.

Dave Scurto, Planning Consultant, stated it was to the east.

MOTION by OLIVER seconded by PROVENZANO to approve the Final Plan; Elite Corporate Park; Permanent Parcel 08-20-100-018; Located on the south side of 23 Mile Road, west of Romeo Plank Road; Section 20. Elite Corporate Park, LLC, Petitioner.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: BENTLEY.

MOTION carried.

B. TEMPORARY GROUND SIGN; Char Estates

Permanent Parcel 08-16-100-015; Located on the south side of 24 Mile Road, west of Card Road; Section 16. Clearview Homes, Petitioner.

Dave Scurto, Planning Consultant, stated this was a temporary sign that was going to advertise homes for sale. All the necessary departments have reviewed the request and were recommending approval.

Lisa Shackleton, petitioner, was in attendance.

MOTION by OLIVER seconded by TUCKFIELD to approval the Temporary Ground Sign; Char Estates; Permanent Parcel 08-16-100-015; Located on the south side of 24 Mile Road, west of Card Road; Section 16. Clearview Homes, Petitioner. This approval is per the Township Ordinance.

FOR THIS MOTION

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

NAYS: NONE.
ABSENT: BENTLEY.
MOTION carried.

7. OLD BUSINESS

None.

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS*

None.

9. COMMISSIONER COMMENTS

Member TUCKFIELD commented on the Industrial Site Condominium approval process and stated he had some reservations but voted yes due to the governing of the Consent Judgment.

Member PROVENZANO stated he tried to perform the survey but that he had difficulties and wondered if anyone else did.

Dave Scurto, Planning Consultant, asked what questions he was being stuck on.

Member PROVENZANO highlighted the questions.

Member SCIUTO highlighted for those still in attendance the benefits the township received from Dean Ausilio and may he rest in peace.

Member PROVENZANO also stated he would miss Dean Ausilio and that he was a terrific individual and sorry to hear of his passing.

Chairman HARDY complimented Josh Bocks and Dave Scurto on the draft survey that has been sent out. He also thanked Member TUCKFIELD on a post put out there to receive more community feedback.

Member PROVENZANO stated he was excited that the updated Master Plan will have a lot of input from the community.

10. MACOMB TOWNSHIP BOARD OF TRUSTEE LIAISON UPDATE

Member OLIVER stated that on September 24, 2020, Firefighter Joe Warne, will depart from Fire Station #2 for his walk to Grand Rapids which is a 140 mile walk and will be in full fire fighting gear to raise funds and awareness for fire fighters battling cancer. Also, this year there will be 3 retired Macomb Township Fire Fighters who will be recipients of

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the money raised and invited everyone to consider to donate to this non-profit organization "Neighborhood United". Lastly, he stated how proud he was of him to take this upon himself and hoped he would be there to see him off on his take off. Chairman HARDY asked what time the event would be.

Member OLIVER stated he believed it was 7:30 a.m. but would provide that information to him.

11. ZBA LIAISON UPDATE

None.

12. PLANNING DEPARTMENT ITEMS

None.

13. ADJOURNMENT

MOTION by OLIVER seconded by TUCKFIELD to adjourn the Planning Commission meeting at 7:57 p.m.

FOR THIS MOTION

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

NAYS: NONE.

ABSENT: BENTLEY.

MOTION carried.

Respectfully submitted,

Michael Hardy, Chairman

Richard Bentley, Secretary