

1. **CALL TO ORDER** – The meeting was called to order by Chairman Fountain.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** – Members present: Chairman Fountain, Vice Chairman Douglass, Secretary Kalenauskas, Commissioner Petrucci, Commissioner Phillips, Commissioner Colaianne and Commissioner Germane. Also present: Sally Hodges and Alexis Marcarello of McKenna Associates and Deputy Planner Scott Barb.
4. **APPROVAL OF MAY 13, 2004 PLANNING COMMISSION AGENDA** – Move to approve the May 13, 2004 Planning Commission agenda as presented. Motion Phillips. Second Colaianne. Voice Vote. Motion Carried. 7-0-0.
5. **APPROVAL OF MAY 6, 2004 PLANNING COMMISSION MINUTES** – Move to approve the May 6, 2004 Planning Commission minutes as presented. Motion Phillips. Second Douglass. Voice Vote. Motion Carried. 7-0-0.
6. **CALL TO THE PUBLIC** – There being no response, the call to the public was closed.

PUBLIC HEARING

7. APPLICANT: ROB MECHIGAN SITE PLAN APPLICATION #363 IN CONJUNCTION WITH SPECIAL USE APPLICATION #223 SECTION 21 ZONED GC (GENERAL COMMERCIAL) CAR WASH AND OIL CHANGE CENTER – Rob Mechigan and Mark Messner were present. Chairman Fountain advised them that the Commission did not usually act on an item the night of the public hearing.

Mr. Mechigan and Mr. Messner are proposing a self serve auto wash with a three bay oil change situated between Bogie's Auto Wash and Republic Bank on the south side of M59.

Larry Fox – What materials will be used in the building? Split face block or brick with a band of contrasting color. It will be similar to their other unit on Grand River in Howell by the new Kohl's store. The roof will be shingle.

Bob Williams – Is this a franchise? Yes – Big Ray is the name of the franchise. They will accept used oil for recycling from the general public.

Commissioner Germane – Print does not specify the location of the tanks. Mr. Mechigan – under the basement. They are double walled tanks and there will be an oil / water separator in the pit. The applicant could not answer how many tanks were planned but offered to bring the prints from the Howell unit. There would be new oil bulk tanks and waste oil tanks. Commissioner Germane noted that an SPCC plan would be necessary per the Clean Water Act since the combined tank capacity would exceed 1320 gallons.

Trustee Phillips requested a color board showing the proposed materials and colors.

Commissioner Colaianne – The items on the engineering review will have to be addressed.

Commissioner Douglass – 10.02.F of the ordinance requires the vacuum islands to be in the rear.

Mr. Mechigan responded that for security reasons, it is preferable to have them up front in plain view. The police department would probably support this for public safety. Commissioner Douglass agreed with this as a health and safety issue. It would also be preferable to have the washing bays face the front for the same reason.

Chairman Fountain – Noise levels will have to be considered for a 24 / 7 operation such as this. Buffering must be provided for adjoining locations. Mr. Mechigan stated that the lighting will be shielded. Used water will go to the holding tank to settle then the water will go to the sewer system.

Ms. Hodges summarized the April 8, 2004 Special Use review including the commercial service drive, ordinance standards, lot width, driveway width, PIPP needed, adjoining PDMR zoning, vehicle stacking, buffering of residential, architectural standards and other issues. The April 8, 2004 Site Plan review included sidewalks, parking / stacking deficiency, landscape calculations, paving and retention pond location, trees needed not shrubs, lighting, architecture and design, environmental issues, community impact and other issues.

Commissioner Douglass – There are many issues to be addressed before placing this on the agenda. Site size could be an issue with trying to squeeze everything on to this lot.

Ms. Hodges requested the applicant to state in writing the reasons making it acceptable to place this next to another car wash on M59.

The public hearing closed at 8:15 p.m.

Place this on the June 10, 2004 Planning Commission agenda.

Move to place Site Plan Application #363 in conjunction with Special Use Application #223 for Rob Mechigan for a Car Wash / Oil Change Center on the June 10, 2004 Planning Commission agenda. Motion Colaianne. Second Phillips. Voice Vote. Motion Carried. 7-0-0.

OLD AND NEW BUSINESS

8. APPLICANT: MATT LEE / STEVE PAYTER METES AND BOUNDS APPLICATION #695 SECTION 35 ZONED CA (CONSERVATION AGRICULTURE) IN CONJUNCTION WITH PRIVATE ROAD APPLICATION #125 -

Mr. Payter and Mr. Lee were present with their attorney Matthew Quinn. Mr. Quinn stated that they had the letter of decertification for Lone Tree Road from the County. The County has stopped maintaining the road. He stated that it is now non-conforming private road. They are seeking to place 7 homes in the \$600,000.00 price range on the requested splits. 3 homes currently use the road.

Chairman Fountain expressed concerns about access to the site. His visit to the site showed Lone Tree Road to be in such poor condition that it was impassable to the site of the proposed splits. Mr. Quinn stated that this had been discussed with the County Road Commission and the applicant will bring it up to Township road standards for gravel roads within the existing easement.

Commissioner Colaianne – Access is part of the approval process under the Land Division Act and adequate access must be assured. Mr. Lee proposed a 22 ft. gravel road from Pleasant Valley to the east boundary of his site. There may currently be no State funding for the maintenance of Lone Tree Road but the County did not abandon it and retains the access rights to it and could reactivate it in the future. The land division has to be granted if it meets the requirements of the statute but access must be considered in such an approval.

Chairman Fountain – If additional lots are added in the future, the road will be inadequate. The existing homes have to be considered in the use this road will receive. The private road being proposed will start at Pleasant Valley / Lone Tree Road intersection. There are currently no plans or application before the Planning Commission that address the entire expanse of the road being proposed. If there is no application other than the verbal assurance of the applicant that the road will be upgraded beginning at Pleasant Valley and Lone Tree, there can be no action taken on a non-existent road upgrade application. The Commission needs to see the plans for the upgrade to

Lone Tree beginning at Pleasant Valley which the applicant's attorney described as a non-conforming private road. As it stands, the site is not accessible from Lone Tree Road and there is no application showing how creating access will be addressed.

Commissioner Germane – The drawings do not show the private road improvements planned for Lone Tree Road and therefore the application is not complete. The splits are not the issue, access is the issue. Gravel or pavement is also to be determined. Mr. Quinn wanted the private road approved before going ahead with plans. Commissioner Phillips referred to Sec. 30.13.B.2 and footnote A. Commissioner Germane would like to see plans for the road to begin at Pleasant Valley and have that section be included in the maintenance agreement. There should also be a mechanism in place for future improvement of the road when future development seeks access. The large parcel of Hartland Glens Golf Course adjoins the road and there has been discussion of building homes on some of the golf course property. Improving the road will make access available to many more sites on adjoining parcels and public right of way has to be considered. The May 5, 2004 engineering review letter has not been addressed. What will be the required construction standards for Lone Tree Road? The application is not complete since there is no plan for their verbal commitment to improve Lone Tree Road. Will Lone Tree be public or private after it is upgraded?

Commissioner Phillips – There is a 66 ft. easement that appears to be more like a half mile rather than the 3 tenths mile described by the applicant. There may also be a landlocked parcel behind this site. It must be determined if Lone Tree Road is public or private since the County still retains access rights even though it has been decertified. The County has not given up all rights to the road.

Commissioner Petrucci – The Planning Commission has the duty to review the access that will be provided to the site prior to it going to the Board. There is an easement on Lone Tree Road to the site. Commissioner Petrucci feels it is neither public or private, just an easement.

Shannon Wehner – Lives on Lone Tree Road. The current residents do not want the road to be upgraded and carry more traffic and encourage more splits on adjoining parcels.

Move to recommend approval of Metes and Bounds Application #695 for Matt Lee and Steve Payter zoned CA in conjunction with Private Road Application #125 per the print received April 8, 2004 with the following contingencies. 1). The construction of the road will be a private road indicated as Glenwood on the drawing and the portion of Lone Tree Road beginning at Pleasant Valley west to the edge of the parcel approximately 5/8th of a mile per the conditions stated for road construction by the Township Engineers in their review. 2). Approval is in accordance with the Township Ordinance relating to the Private Road Ordinance Section 30.13 and in accordance with the Land Division Act. Motion Colaianne. Second Kalenauskas. Voice Vote. Motion Carried. 4-3-0. Nays Fountain, Germane and Phillips.

Commissioner Colaianne advised the applicant that approval of the splits under the Land Division Act does not mean land use permits will be issued.

9. APPLICANT: SHIRLEY COTTRELL METES AND BOUNDS APPLICATION #697 SECTION 18 ZONED CA (CONSERVATION AGRICULTURE) – Ms. Cottrell was present. The split will be 2 acres off the 6 acre parcel at Cullen and Dwyer.

Move to recommend approval of Metes and Bounds Application #697 for Shirley Cottrell per the State Land Division Act. Motion Colaianne. Second Phillips. Voice Vote. Motion Carried. 7-0-0.

Commissioner Germane – The 66 ft. easement for access for 3b is on the adjoining property? Yes.

10. APPLICANT: PAMELA FOLLMER METES AND BOUNDS APPLICATION #699 SECTION 32 ZONED CA (CONSERVATION AGRICULTURE) – Wayne Perry was present. This is part of the remaining Camp Tamarack which is accessed off Old US 23. The split will be 2 acres off of the 50 acre parcel. Tamarack Court will be extended to serve as access to the parcel. Move to recommend approval of Metes and Bounds Application #699 for Pamela Follmer per the State Land Division Act. Tax Id. # 08-32-401-028. Motion Phillips. Second Colaianne. Voice Vote. Motion Carried. 7-0-0.

11. APPLICANT: SCOTT A. BUNN METES AND BOUNDS APPLICATION #700 SECTION 01 ZONED CA (CONSERVATION AGRICULTURE) – Mr. Bunn was present. Move to recommend approval of Metes and Bounds Application #700 for Scott A. Bunn per the State Land Division Act. Tax Id. # 08-01-400-026. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 7-0-0.

Recess 9:55 p.m.

Resume 10:00 p.m.

12. APPLICANT: CW DEVELOPMENT LLC SITE PLAN APPLICATION #352 SECTION 21 ZONED PDMR FOX RIDGE CONDOMINIUMS FINAL PLAN APPROVAL - Wayne Perry, Nicole Jaeger and Scott Day were present.

Ms. Jaeger – There will be a master deed for each of the building styles.

Ms. Hodges indicated that the open space associated with each building has to be developed along with the building. Other items yet to be addressed include phasing schedule including time of construction of amenities such as the pool, setbacks – parking is indicated within 2 feet of the property line in the south section, vehicle conflicts in parking, landscaping issues such as plant diversification and planting areas, views from Old 23 on the site, tree preservation, termination of Chase Drive to the east – cul de sac recommended, traffic impact, PD agreement and condo documents and plans and elevations for pool and clubhouse.

Chairman Fountain suggested submitting the revisions directly to Ms. Hodges for review and recommendation to the Township.

Be sure to address the Williams and Works engineering review.

Wayne Perry – in item #6 - 30 ft. was the agreed road width. PC consensus to go with 30 ft. as agreed. There are four areas where the grade exceeds 4 to 1 as required. It is currently 3 to 1. To get 4 to 1 would required numerous small retaining walls between buildings. Since it is a PD, the Commission agreed to allow 3 to 1 slope where it was deemed necessary.

Commissioner Germane left at 10:55 p.m.

There was discussion of the south termination of Chase Drive not hooking to anything to the south. It is intended to hook to the service drive going behind the proposed Target store to the east but that connection is not planned until Phase 3 of the Shops at Waldenwoods and the access does not continue south to M59. There is no timeline for when this access will become functional.

It was suggested by the Commission that smaller size (11 by 14) copies of the plans would be acceptable to avoid the huge amounts of paper being generated.

Move to table Site Plan Application #352 for CW Developments / Fox Ridge. Motion Kalenauskas. Second Colaianne. Voice Vote. Motion Carried. 6-0-1.

Revisions will be sent to McKenna Associates for inclusion on the June 10 agenda.

13. CALL TO THE PUBLIC – There being no response, the call to the public was closed.

14. COMMITTEE REPORTS

Phillips – The Board Resolution on the Master / Comprehensive plan has been found. Trustee Hill met with Mr. Podelnyk and there should be an amended plan coming through. Keyholing is an issue that may be coming up.

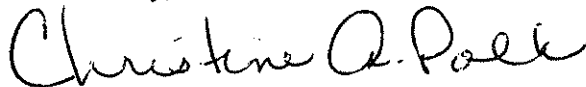
Colaianne – Buffering at Fire Rock needs to be checked. It has either not been put in or has died.

Douglass – Developments are not being checked against the site plans for compliance after construction is complete. Who does this?


15. ADJOURNMENT – Move to adjourn. Motion Colaianne. Second Douglass. Voice Vote. Motion Carried. 6-0-1.

The meeting adjourned at 11:15 p.m.

Submitted by,



Christine A. Polk
Recording Secretary



D. Kalenauskas
Planning Commission Secretary

Next Meeting – May 27, 2004