

# Almont Township

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## ALMONT TOWNSHIP PLANNING COMMISSION REGULAR MEETING

April 12, 2017

The regular meeting of the Almont Township Planning Commission was called to order at 7:00 P.M. by Chairperson Steve Francis at the Almont Township /Village Hall, 817/819 N. Main Street, Almont, Michigan 48003. Roll call was taken.

**MEMBERS PRESENT:** Brad Bletch, Rick Dodge, Steve Francis, Kim Streeter, Jesse Thompson, and Bryan Zender. Also present were Scott Kree and Cory Mabery, PE, Davis Land Surveying & Engineering

**MEMBERS ABSENT:** Mark Lauwers – excused.

**ALSO PRESENT:** 9 guests

**CORRESPONDENCE:** Presented

**MINUTES: MOVED BY ZENDER AND SUPPORTED BY STREETER TO RECEIVE THE MINUTES FROM MARCH 8, 2017 AS PRESENTED. MOTION CARRIED.**

**PUBLIC COMMENTS:** N/A

**LATE AGENDA ITEM:** N/A

**INTRODUCTION:** N/A.

**PUBLIC HEARING:** Application for Temporary Structure 17-01 – Shangos Fireworks

Chairman Francis noted for the record that the public hearing was opened at 7:03 p.m.

Mr. Samir Alyass of Shangos Fireworks was present to explain his proposal of erecting a 16 x 30 foot tent at the Mobil Gas Station (3983 Van Dyke) in order to display and sell fireworks between June 14, 2017 through July 5, 2017. The hours of operation will be 9:00 a.m. to 10 p.m. Mr. Alyass noted that he had sold fireworks at the same location in 2016.

Planner Scott Kree went through his review noting that he had no issues.

Chairman Francis closed the public hearing for Shangos Fireworks at 7:06 after requesting and hearing no comments from the audience.

Application for Temporary Structure 17-01 Continued:

**MOVED BY STREETER AND SUPPORTED BY ZENDER TO APPROVE THE REQUESTED SPECIAL LAND USE BASED ON THE FOLLOWING FINDINGS OF FACT:**

- 1. THE SPECIAL LAND USE SHOULD NOT AFFECT THE HARMONY OR CHARACTER OF THE AREA AS THERE ARE SEVERAL COMMERCIAL AND INDUSTRIAL BUSINESSES ALONG M-53 (VAN DYKE ROAD) IN THIS AREA.**
- 2. THE SPECIAL LAND USE WILL BE SITUATED ALONG M-53 IN AN AREA WHERE SEVERAL COMMERCIAL AND INDUSTRIAL BUSINESSES EXIST AND WILL NOT DISRUPT A CONTINUITY OF DEVELOPMENT IN THE AREA.**
- 3. THE USE, BEING CONSISTENT WITH THE CURRENT ZONING DISTRICT AND FUTURE LAND USE PLAN FOR THIS SITE.**
- 4. BASED UPON THE PROPOSED PROJECTS' COMPLIANCE WITH THE SITE PLAN REQUIREMENTS, IT APPEARS THAT HEALTH, SAFETY AND WELFARE OF THE GENERAL PUBLIC WILL IS UPHELD AND NOT AFFECTED IN ANY MANNER.**
- 5. BASED ON EXISTING LAND USES WITHIN THIS GENERAL VICINITY, IT APPEARS THAT THE PROPOSED USE WILL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.**

**FURTHER, IN ORDER TO ENSURE COMPLIANCE WITH THESE STANDARDS, THE FOLLOWING CONDITIONS ARE PART OF THE MOTION TO APPROVE:**

- THE APPLICANT SHALL APPLY FOR AND RECEIVE THE NECESSARY STATE OF MICHIGAN LICENSE FOR THE SALE OF FIREWORKS.**
- PER THE APPLICANT'S AGREEMENT, NO FIREWORKS WILL BE LIT OR SET OFF ON SITE.**
- THE DATES OF OPERATION SHALL BE FROM JUNE 14 TO JULY 5 BETWEEN 9:00 A.M. AND 10:00 P.M.**
- THE YEARLY APPLICATION FOR SPECIAL LAND USE/TEMPORARY STRUCTURE SHALL RETURN TO THE PLANNING COMMISSION FOR A YEARLY ADMINISTRATIVE REVIEW AT A MINIMUM OF 30 DAYS PRIOR TO THE STARTING DATE IN QUESTION.**

**ROLL CAL VOTE: STREETER – YES; ZENDER – YES; BLETCH – YES; THOMPSON – YES; DODGE – YES; FRANCIS – YES. MOTION CARRIED.**

## 2. SLU Application 17-01 – Paul’s Collision Repair Centers LLC

Chairman Francis noted for the record that the public hearing was opened at 7:18 p.m.

Mr. Jim Foster of Ziemnick Foster Engineering, LLC was present to explain the site plan as proposed for Paul’s Collision 2<sup>nd</sup> site. The site in question is 10 acres and zoned C-3. The property to the south is zoned C-1 while the properties to the east, north and west are zoned Ag/Residential. Mr. foster presented a revised site plan noting that the 2<sup>nd</sup> revision had addressed the comments as received from the Planner, Township Engineer, and Almont Township Fire Chief.

It was noted by both the Planner and the Engineer that they had only that morning received the response letter w/electronic copy of the revised plans from the applicant’s engineer and had not had sufficient time in which to review it. The Planning Commission members noted that they did not have the revised plan or the comments from Ziemnick Foster Engineering.

Planner Kree went through his review, especially the highlighted areas noting items that needed Planning Commission approval or further clarification from the applicant. Planner Kree noted as well that Mr. Sheffer would not need to pave the fenced-in area and that the proposed gravel surface would comply with the Township’s ordinances.

Mr. Sheffer noted that after reviewing his contract with the County and Township Police Departments he was not required to have barbed wire along the top of his fence, hence he would not need to seek a variance.

Engineer Mabery noted that as he did not have sufficient time to review the changes made to the site plan, he could not recommend approval of the site plan at that time.

A long discussion was held on “obscuring” the fence. Mr. Sheffer noted he will place slats through the chain link fence openings on all sides to comply with the Township ordinance.

Discussion was also held on landscaping, especially the buffering between the separate zoning districts.

After asking for and receiving no further comments from the public, Chairman Francis closed the public hearing at 8:25 p.m.

Mr. Foster requested that contingent approval be granted on the site plan. Discussion followed. Planning Commissioners noted that they could not grant approval on the site plan at this meeting as they did not have the revised plans to review and also due to the fact that Mr. Mabery was withholding granting engineering approval for the same reasons. Mr. Foster was requested to make all necessary changes and to get the information into the Planner and Engineer as quickly as possible, and to make

2. SLU Application 17-01 – Paul’s Collision Repair Centers LLC

sure that the Planning Commissioners and Zoning Administrator had the latest plans and written reviews at least a week before the May 10, 2017 meeting.

**MOVED BY DODGE AND SUPPORTED BY ZENDER TO APPROVE THE REQUESTED SPECIAL LAND USE BASED ON THE FOLLOWING FINDINGS OF FACT:**

1. THE SPECIAL LAND USE SHOULD NOT AFFECT THE HARMONY OR CHARACTER OF THE AREA AS THERE ARE SEVERAL COMMERCIAL AND INDUSTRIAL BUSINESSES ALONG M-53 (VAN DYKE ROAD) IN THIS AREA.
2. THE SPECIAL LAND USE WILL BE SITUATED ALONG M-53 IN AN AREA WHERE SEVERAL COMMERCIAL AND INDUSTRIAL BUSINESSES EXIST AND WILL NOT DISRUPT A CONTINUITY OF DEVELOPMENT IN THE AREA.
3. THE USE, BEING CONSISTENT WITH THE CURRENT ZONING DISTRICT AND FUTURE LAND USE PLAN FOR THIS SITE.
4. BASED UPON THE PROPOSED PROJECTS’ COMPLIANCE WITH THE SITE PLAN REQUIREMENTS, IT APPEARS THAT HEALTH, SAFETY AND WELFARE OF THE GENERAL PUBLIC WILL IS UPHELD AND NOT AFFECTED IN ANY MANNER.
5. BASED ON EXISTING LAND USES WITHIN THIS GENERAL VICINITY, IT APPEARS THAT THE PROPOSED USE WILL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

**FURTHER IN ORDER TO ENSURE COMPLIANCE WITH THESE STANDARDS, THE FOLLOWING CONDITIONS ARE PART OF THE MOTION TO APPROVE:**

1. CONTINGENT ON SITE PLAN APPROVAL FROM THE PLANNER, ENGINEER, AND PLANNING COMMISSION.
2. APPLICANT SHALL INSTALL OBSCURED FENCING AROUND THE PERIMETER OF THE VEHICLE STORAGE AREA.
3. NORMAL HOURS OF OPERATION: 7:00 A.M. TO 7:00 P.M., 7 DAYS A WEEK. TOWING AND VEHICLE STORAGE (IMPOUND LOT, ETC.) OPEN 24 HOURS, 7 DAYS A WEEK.
4. APPLICANT MUST SUPPLY DUST CONTROL IN GRAVEL/VEHICLE STORAGE AREA.

**ROLL CALL VOTE: DODGE – YES; ZENDER – YES; THOMPSON – YES; BLETCH – YES; STREETER – YES; FRANCIS – YES. SPECIAL LAND USE CONTINGENTLY APPROVED.**

Jesse Thompson was excused from the meeting at 9:02 p.m. Chairman Francis called for a break at 9:04 p.m. Meeting resumed at 9:17 p.m.

**NEW BUSINESS:** N/A

**OLD BUSINESS:** 1. Revised proposed draft amendments

Planner Kree presented copies of the proposed amendments to be discussed. Discussion followed. Scott Kree noted that all draft amendments not yet approved would be reviewed at the May meeting and a public hearing would be scheduled for the June meeting to adopt all amendments and corrections to Zoning Ordinance No. 39 that have been reviewed by the Planning Commission over these past several months.

Reports:

Planner – N/A

Engineer – N/A

Zoning Board of Appeals – hearing scheduled for May 3, 2017

Zoning & Building –N/A

Planning Commission General Comments – comments were made on the need for greater enforcement of ordinances.

Proposed Agenda – May 10, 2017

Old Business: 1. SLU Application 17-01 – Site Plan Review/approval

2. Proposed Zoning Ordinance Amendments Review

**CHAIRMAN FRANCIS, WITH CONSENT OF THE COMMISSIONERS, ADJOURNED THE MEETING AT 10:15 P.M.**

Respectfully Submitted by,

*Ida L. Lloyd*

Ida L. Lloyd, Recording Secretary

