

Almont Township

819 N. MAIN STREET
ALMONT, MICHIGAN 48003
PHONE 810-798-8521/FAX 810-798-7097
www.almonttownship.org

ALMONT TOWNSHIP PLANNING COMMISSION REGULAR MEETING

March 14, 2018

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

MEMBERS PRESENT: Brad Bletch, Mark Lauwers, Steve Francis, Kim Streeter, Jesse Thompson and Bryan Zender. Caitlyn McGoldrick of ROWE Professions Services and Cory Mabery, PE of Davis Land Surveying & Engineering were also present.

MEMBERS ABSENT: Rick Dodge arrived at 8:45 p.m.

ALSO PRESENT: Approx. 17 guests

MINUTES: MOVED BY STREETER AND SUPPORTED BY ZENDER, TO RECEIVE THE MINUTES FROM FEBRUARY 14, 2018 AS AMENDED. MOTION CARRIED.

CORRESPONDENCE: Presented

PUBLIC COMMENTS: None offered

LATE AGENDA ITEM: N/A

INTRODUCTION: N/A

PUBLIC HEARINGS: Special Land Use Site Plan – 18-02 (Detroit Import Depot) Proposed machining, assembly and storage of thermal vinyl windows – zoning is C-3 (General Commercial)

Chairman Francis noted for the record that the public hearing for SLU Application 18-02 was opened at 7:06 p.m. All Public Hearing legal notifications were confirmed and the publication affidavit was acknowledged by the Planning Commission.

Mr. Steven Schneider, attorney for the applicants SSV, LLC was present to explain his clients request that they be allowed to assemble and sell thermal vinyl windows under a C-3 zoning use. The assembly would be conducted in the building along the northern end of the property while the southern building would be used as offices, showroom and warehousing. SSV, LLC also known as Detroit Import Depot,

Special Land Use Site Plan – 18-02 Continued:

will also sell building supplies such as cabinets, lighting, etc. to contractors and homeowners. This proposed use is similar to the previously approved uses that were granted in 2000 and 2014. Hours of operations would be Monday thru Friday from 7 a.m. to 5 p.m. and from 8 a.m. to 1 or 2 p.m. on Saturday.

The method of assembly was discussed. There is very little noise or smell associated with the assembly of the windows.

Ms. McGoldrick of ROWE Professional Services, went over her review. As the proposed use is not distinctly called out within the Zoning Ordinance under section C-3, the Planning Commissioners would need to decide which of the four different avenues they believe best fit the applicant's request.

Upon discussion the Planning Commissioners determined that the proposed use of assembly of windows fell best under a special land use. Ms. McGoldrick recommended that a follow up with a text amendment to the Zoning Ordinance should be made. Ms. McGoldrick also noted that parking was satisfactory, and as there does not appear to be any changes to the topography, the Planning Commissioners may want to waive that provision. The applicants also stated that there would be no changes to the existing landscaping nor would there be any changes to the current surface drainage and that no new buildings were going to be constructed. Commissioners agreed to waive the requirements of providing additional parking, landscaping and drainage calculations to the site plan as no external changes were proposed.

Fire lanes are already defined on the site from previous site improvements. Keys for the KNOX box will need to be obtained from the Almont Township Fire Department.

All other items such as Off-street Loading and Unloading and Screening Requirements are in place.

Lighting was discussed. Applicants stated that there were no immediate plans to change any of the exterior lighting. The applicants were reminded that any changes would need to be approved by the Planning Commission prior to installation of any new lighting.

No further public or Commissioner comments were offered. Chairman Francis closed the public hearing for SLU Application 18-02 at 7:33 p.m.

MOVED BY STREETER AND SUPPORTED BY LAUWERS TO APPROVE SITE PLAN/SLU APPLICATION 18-02 LOCATED AT 4296 VAN DYKE AS PRESENTED BY SSV, LLC. THE NEW USE IS SIMILAR TO THE 2000 AND 2014 PREVIOUSLY GRANTED SPECIAL LAND USES AND NO ADDITIONAL TRAFFIC, NOISE OR LIGHTING IS PROPOSED FOR THE AREA. NO MAJOR EXTERNAL CHANGES TO THE BUILDING, PARKING AREA OR NEW LIGHTING ARE PROPOSED. ALSO, ANY MISSING OR DEAD TREES IN THE GREENBELT ARE TO BE REPLACED BY MARCH 14, 2019. ROLL CALL VOTE: STREETER - YES; LAUWERS – YES; BLETCH – YES; ZENDER - YES; THOMPSON – YES; FRANCIS – YES. MOTION CARRIED.

NEW BUSINESS: 1. SIGNS BY CRANNIE – WALL & MONUMENT SIGN FOR PAUL’S TRUCK CENTER (4248 VAN DYKE)

Mr. Nick Trifon from Signs by Crannie was present representing their client Paul’s Truck Center. Mr. Trifon noted that they plan on installing a wall sign and a digital monument sign. The wall sign is approx. 36 square feet in area and the monument sign is approx. 64 square feet in area with a little more than 24 square feet of that 64 square feet being used for a digital sign. It was noted that both signs were well within the allowed square footage of section 2.17 of Zoning Ordinance No. 39, as amended.

MOVED BY ZENDER AND SUPPORTED BY LAUWERS TO APPROVE SIGN APPLICATION 18-04 AS PRESENTED BY SIGNS BY CRANNIE AND RECEIVED ON MARCH 5, 2018 FOR PAUL’S TRUCK CENTER LOCATED AT 4248 VAN DYKE NOTING THAT THE DIGITAL (LED) PORTION OF THE MONUMENT SIGN SHALL HAVE AN AUTO DIMMER INSTALLED. MOTION CARRIED.

OLD BUSINESS: 1. SITE PLAN 18-01 – 3776/3778 VAN DYKE (VINTECH) PROPOSED WAREHOUSE (REVISED PLANS)

Mr. Cory Mabery, PE of Davis Land Surveying & Engineer noted that all of his concerns had been addressed and would recommend approval of the plans dated revised 3/08/2018. Ms. McGoldrick concurred noting that the site plan revised 3/08/2018 had addressed her items listed in her February 7, 2018 report. Mr. Mabery noted that a current engineer’s estimate is required to be submitted for determination of the inspection deposit and performance guarantee as outlined in the ordinance. Any outstanding fees must be paid and copies of all required permits must be provided prior to scheduling a pre-construction meeting. Mr. Mabery also noted that if a new approach was to be approved by MDOT, than all documentation relating to said new access easement and entrance shall be provided to the Township and Township Engineer.

MOVED BY STREETER AND SUPPORTED BY LAUWERS TO ACKNOWLEDGE THAT THE REVISED SITE PLAN FOR VINTECH OF 3776/3778 VAN DYKE, DATED MARCH 18, 2018, HAS BEEN RECEIVED BY ALMONT TOWNSHIP AS REQUESTED AND BASED ON THE EMAIL RECOMMENDATION RECEIVED MARCH 14, 2018 BY ENGINEER CORY MABERY, P.E. HAS APPROVED SAID PLANS TO BE STAMPED AND SIGNED BY PLANNING COMMISSION CHAIR STEVE FRANCIS. THIS COMPLETES THE CONDITIONS SET FORTH ON THE FEBRUARY 14, 2018 MOTION. MOTION CARRIED.

OLD BUSINESS: 2. 4081 VAN DYKE – SITE PLAN 17-01 – INDUSTRIAL WAREHOUSE BUILDING (REVISED PLANS)

Mr. Dan Artaev, Attorney at Law, was present representing his client Ray Shavers. Mr. Artaev asked Mr. Mabery to explain his email that was sent the morning of 3/14/18. Mr. Mabery explained his email noting that he was recommending approval of the site plan, revision date 2/23/2018, contingent on determining the zoning implications of a structure currently being used for residential purposes and the discharge from the proposed storm water detention system onto the adjoining property to the north.

OLD BUSINESS: 2. 4081 VAN DYKE – SITE PLAN 17-01 Continued:

Mr. Artaev noted that the residential building was being used for security purposes. Questions from the Planning Commission followed as this was not the impression they had. Mr. Shavers clarified the matter, noting that his daughter lives in the house and keeps a visual on the property. Both the Zoning Administrator and Planner agreed that the continued use of the structure as a dwelling was legal under Section 9.14 of Zoning Ordinance 39, as amended, as the dwelling existed legally before the effective date of the ordinance, or before some amendment to the ordinance, which resulted in the nonconformity. Once the occupancy and use of the structure changes or is abandoned than the structure would no longer be considered an legal non-conforming use and the Zoning Administrator will need to submit the property/structure to the ZBA for a determination of abandonment. Consensus of Commissioners agreed that this was no longer a matter of concern as it had been adequately addressed.

A long discussion followed on the proposed method of drainage of the surface water. Engineer Tammy Foster explained that she believed the system as designed would work as the rate of the water would be less that it currently is. Engineer Mabery noted that it was not RATE of water but rather the VOLUME of water that was a concern. Mr. Mabery compared the current volume to a cup of water whereas the proposed volume of water would increase to that of a pitcher of water. The owner of an upstream property cannot increase the amount of water that is discharged onto the downstream property. Mr. Mabery suggested a couple alternatives: obtain an easement or retain/direct the discharge in such a way as to keep the water from discharging onto the adjacent properties. One way would possibly involve obtaining a permit from MDOT, if MDOT thought it was acceptable and/or required. Mr. Mabery noted that any changes to the site plan would require further engineering review.

Adjoining property owner J. Tuggle stated that he nor his partner would approve any easement onto his property to the north. Mr. S. Marks owner of the property to the west asked that the site be made right and that the water flow be addressed and corrected.

Commission Zender inquired about the septic field and the front façade. The Lapeer County Health Department has approved the continued use of the current septic as the proposed warehouse does not have any proposed toilet facilities. If the septic field ever fails, than the owner of 4081 Van Dyke will need to contact the Lapeer County Health Department and apply for a new on-site sewage disposal permit. Due to the fact that the location of the proposed warehouse is located more than 200 feet back from Van Dyke, the front of the proposed structure is not required to be constructed of stone, face brick, or other decorative material according to Section 2.4 of Zoning Ordinance 39, as amended.

OLD BUSINESS: 2. 4081 VAN DYKE – SITE PLAN 17-01 – INDUSTRIAL WAREHOUSE BUILDING (REVISED PLANS) Continued:

MOVED BY STREETER, AND SUPPORTED BY THOMPSON TO APPROVE APPLICATION 17-01 FOR RAY SHAVERS OF 4081 VAN DYKE CONTINGENT UPON THE FOLLOWING ISSUE BEING ADDRESSED AND RESOLVED TO THE TOWNSHIP ENGINEER’S SATISFACTION: THE PROPOSED STORM WATER DISCHARGE DETENTION SYSTEM IS TO BE IN LEGAL AND TOWNSHIP ENGINEERING CONFORMANCE (PURSUANT TO THE TOWNSHIP ENGINEER’S EMAIL DATED 3/14/2018). ALSO, THAT THE PROPOSED BUILDING IS TO BE UTILIZED FOR COLD STORAGE ONLY PURSUANT TO THE APPLICANT’S PROPOSAL. ROLL CALL VOTE: STREETER – YES; THOMPSON – YES; ZENDER – NO; LAUWERS – YES; BLETCH - YES; FRANCIS – YES. MOTION CARRIED.

Commissioner Lauwers was excused from the meeting and left at 8:32 p.m. Chairman Francis called for a break at 8:32 p.m. Meeting was called back into order at 8:44 p.m. with Commissioner Dodge joining the meeting.

3. Master Plan Update

Ms. McGoldrick apologized for the quality of the zoning use map, but promised to work on clarifying the pixels as best as she could.

Discussion followed on the zoning classification for parcel 44-001-016-011-00 which was zoned Commercial in 1987, but for some reason never was identified on the Master Plan Use Map. According to the current Zoning Ordinance the current use (Redd’s Electric) would be a permitted use under C-3. The consensus of the Commissioners agreed that it would be the most logical step down in zoning as the property to the north is zoned Industrial, but some wonder why Redd’s Electric would not be permitted under a C-1 zoning classification.

MOVED BY ZENDER AND SUPPORTED BY DODGE TO CLASSIFY PARCEL 44-001-016-011-00 AS C-3. Discussion followed. As the owner of the property should be notified of the proposed amendment and as more changes still need to be made to the Master Plan document, there was no urgency to make a decision at this time. Zender and Dodge agreed to rescind their motion. Motion was rescinded.

Ms. McGoldrick noted that she had met with Village Manager, Mike Connors, and Township Supervisor, Paul Bowman to discuss the direction both entities wished to make in updating the Almont Township/Village of Almont Joint Master Plan. The Township Planning Commission noted that they would also like to see that the remodeled Township/Village Hall, new Police Department building, and Township-wide internet services were added to Goals and Objectives. The Commissioners were requested to read the current Master Plan and note any other possible changes they foresaw as necessary for the April 11, 2018 meeting.

OLD BUSINESS: 4. Solar Farms Ordinance Process

Ms. McGoldrick noted that there were two different means of solar panel installation – building/roof or ground mounted and that both would be allowed. Commercial Solar Energy Collector Systems would require Special Land Use approval whereas on-site Ground-Mounted Solar Energy Collectors would be a permitted use.

Discussion followed on the acreage allowed for the various zonings. Consensus agreed that the total development of solar collectors should be all on one lot and not shared over 2 or more lots. Question was asked if a solar energy ordinance was necessary. Consensus agreed that it was better to have an ordinance regulating place, size, etc. than to have nothing at all and also that a decommission plan was necessary. Commissioners agreed that more thought was needed before adopting a solar energy ordinance.

REPORTS:

Planner – N/A

Engineer – Mr. Mabery stated that he would email the March report.

Zoning Board of Appeals – N/A

Zoning & Building Report – Site Plan/SLU Application Form – Commissioners asked for more time to review the revised application. Item will be placed on the April 11, 2018 agenda.

Planning Commission – Process Guidelines - update by Commissioner Thompson. A draft of the spreadsheet was shared amongst the Commissioners. Consensus of the Commissioners like the direction, but had a few more suggestions. Commissioner Thompson noted the suggestions and will make the necessary adjustments.

General Comments: Chairman Francis asked that all commissioners be more diligent in their preparations before the meetings.

April 11, 2018 Agenda items will include:

New Business: Ann Wolf – dog obedience training – home occupation

Old Business: Master Plan & Solar Energy Zoning Ordinance
Revised Site Plan/SLU Application.

**MOVED BY THOMPSON AND SUPPORTED BY STREETER TO ADJOURN THE MEETING AT 9:47 P.M.
MOTION CARRIED.**

Respectfully submitted by:

Ida L. Lloyd

Ida L. Lloyd, Recording Secretary

