

Almont Township

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ALMONT TOWNSHIP PLANNING COMMISSION REGULAR MEETING

March 10, 2021

The regular meeting of the Almont Township Planning Commission called to order at 7:04 P.M. by Chairman Francis, at the Almont Township/Village Hall, 819 N. Main Street, Almont, Michigan 48003. Recited was the Pledge of Allegiance. Roll call taken.

MEMBERS PRESENT: Andrea Bara, Steve Francis, James Gostomski, Kimberly Streeter and Bryan Zender. Planner Caitlyn Habben from ROWE Services was also present.

MEMBERS ABSENT: Brad Bletch and Steve Hoffa

PRESENT: 9 guests

MINUTES: MOVED BY BARA AND SUPPORTED BY ZENDER TO RECEIVE THE MINUTES FROM JANUARY 13, 2021 AS PRESENTED. MOTION CARRIED.

CORRESPONDENCE: Received.

PUBLIC COMMENTS: NA

LATE AGENDA ITEMS: Proposed text amendment to Zoning Ord. 39.20, Article 2, Section 2.21D.1(a) – Type 3 Home Occupations. Consensus agreed to place this item as #3 under New Business.

INTRODUCTION: NA

PUBLIC HEARING: SLU-21-01 – James Slack – proposed commercial business at 4091 Van Dyke, Ste. B.

Chairman Francis opened the public hearing at 7:06 p.m.

Mr. Slack of JNJ LIQUIDATION stated that he would like to operate a retail business at 4091 Van Dyke, the Nova Metal building. He proposed to sell overstock, close outs, and returns from big box stores and other retail businesses. The warehouse area is approx. 1788 square feet and the retail area would be approx. 1490 square feet. Mr. Slack also noted that he had also just received the revised sealed and sign plans earlier that day. The revisions were based on the Planner's comments of February 24, 2021.

Planner Habben noted that the site is zoned Industrial and though warehousing is a permitted use under Industrial zoning, the retail side of the proposed business was not. Therefore, the applicant needs to

Public hearing SLU 21-01 continued:

secure special land use approval for the retail portion of his business. Planner Habben also noted that as the site is existing, the Planning Commission may deem it appropriate to waive the following requirements on the site plan: existing and proposed topography, soil borings, surface drainage and a drainage plan. The loading zone area cannot be placed in the front yard. As there is sufficient area in the rear, the Planner suggested that the applicant may want to relocate the loading zone area to the rear of the building. The revised plans show the parking calculations. Operation hours were noted as 10 a.m. to 7 p.m., Tuesday through Sunday.

Discussion was held by the Planning Commissioners. Consensus of Commissioners agreed to waive the required topography from the plans as well as soil borings and the submittal of a drainage plans due to the fact that the site is existing and there are no planned changes to the site. Consensus of Commissioners also agreed that the loading zone be relocated to the rear of building where there is paved surface and that the comments from the ATFD Chief be followed such as getting a KNOX box, and the installation of a fire alarm system.

Chairman Francis asked if there were any comments from the audience. None were offered. Chairman Francis closed application SLU 21-01 to the public at 7:35 p.m.

MOVED BY STREETER AND SUPPORTED BY BARA TO APPROVE SPECIAL LAND USE 21-01 AS PRESENTED BY JAMES SLACK OF J N J LIQUIDATION FOR A RETAIL BUSINESS LOCATED AT 4091 VAN DYKE ROAD BASED ON THE FOLLOWING FINDINGS OF FACT:

IT COMPLIES WITH STANDARD A BASED ON THE CHARACTERISTICS OF THE PROPOSED SPECIAL LAND USE SUCH AS LOCATION, SIZE, LAYOUT, PERIODS OF OPERATION, AND CHARACTER WILL NOT BE UNREASONABLY DETRIMENTAL TO THE SURROUNDING NEIGHBORHOOD OR CREATE UNACCEPTABLE OFF-SITE IMPACTS DUE TO TRAFFIC, DUST, NOISE, FUMES, VIBRATON, SMOKE OR LIGHTS AND THAT THE PROPOSED RETAIL USE COULD POTENTIALLY DRAW IN MORE CUSTOMER TRAFFIC THAN NORMAL INDUSTRIAL BUSINESSES, BUT IT IS NOT CLEAR HOW OFTEN DIRECT TO CONSUMER TRANSACTIONS TAKE PLACE. ALSO, ALL OF THE SURROUNDING PROPERTIES ARE ZONED I-1 INDUSTRIAL.

IT COMPLIES WITH STANDARD B BASED ON THE CHARACTERISTICS OF THE PROPOSED SPECIAL LAND USE SUCH AS LOCATION, SIZE, LAYOUT, PERIODS OF OPERATION, AND CHARACTER WILL NOT UNREASONABLY INTERFERE WITH OR DISCOURAGE THE APPROPRIATE DEVELOPMENT AND USE OF ADJACENT LAND AND BUILDINGS OR UNREASONABLY AFFECT THEIR VALUE AND THAT THE APPLICANT IS PROPOSING TO OPERATE IN 3,278 SQ FEET OF THE 30,000 SQ FOOT BUILDING AND THAT THE PROPOSED OPERATION IS LOCATED RIGHT NEXT TO THE EXISTING PARKING LOT. OFFICE HOURS ARE TO BE TUESDAY THROUGH SUNDAY, FROM 10 A.M. TO 7 P.M.

Public hearing SLU 21-01 continued:

IT COMPLIES WITH STANDARD C BASED ON THE PROPOSED USE IS SO DESIGNED, LOCATED, PLANNED, AND TO BE OPERATED THAT THE PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED AND THAT THE APPLICANT IS NOT PROPOSING TO CHANGE THE PHYSICAL LAYOUT OF THE CURRENT SITE PLAN, AND THAT THE EXISTING SITE PLAN SHOWS TWO DRIVEWAYS AND 17 PARKING SPACES.

IT COMPLES WITH STANDARD D BASED ON THE PROPOSED USE SHALL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE AND THE TOWNSHIP MASTER PLAN AND THAT THE CONCEPT PLAN IS FOR THIS SUBJECT PARCEL TO BE PART OF THE PRIMARY TOWNSHIP INDUSTRIAL AREA.

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

ALL FIRE DEPARTMENT CONCERNS, AS NOTED ON THE EMAIL FROM CHIEF DON SMITH DATED FEBRUARY 22, 2021, MUST BE ADDRESSED AND COMPLIED WITH INCLUDING INSTALLING A KNOX BOX AND FIRE ALARM.

THE PLANNING COMMISSION AGREES TO WAIVE THE SOIL BORING AND DRAINAGE PLAN REQUIREMENT AS THE SITE IS AN EXISTING BUILDING AND EXISTING INDUSTRIAL SITE.

THE LOADING ZONE IS TO BE LOCATED IN THE REAR OF THE BUILDING.

DIRECTIONAL SIGNS ARE TO BE INSTALLED FOR THE APPROACHES/DRIVEWAYS OFF OF VAN DYKE FOR TRAFFIC AND CUSTOMER SAFETY.

APPLICANT WILL USE THE PREVIOUSLY INSTALLED SIGNAGE LOCATION AND WILL COMPLY WITH ALL TOWNSHIP ZONING ORDINANCES REGARDING SIGNAGE

THIS MOTION ALSO APPROVES THE SITE PLAN AS RECEIVED AND PRESENTED ON MARCH 10, 2021 AS ALL SITE PLAN STANDARDS HAVE BEEN MET.

ROLL CALL VOTE: STREETER-YES, BARA-YES, FRANCIS-YES, ZENDER-YES, GOSTOMSKI-YES. MOTION CARRIED.

NEW BUSINESS: #1. Shango Fireworks – Temporary Structure - SLU Renewal 18-01

Sarah Eyman from Shango Fireworks was present to renew their Special Land Use approval. There were no proposed changes from the previous years.

MOVED BY BARA, SUPPORTED BY ZENDER TO APPROVE THE RENEWAL OF SLU APPLICATION 18-01 AND ALLOW SAMIR SHANGO OF SHANGO FIREWORKS TO DISPLAY AND SELL FIREWORKS BETWEEN

#1. Shango Fireworks – Temporary Structure - SLU Renewal 18-01

10 A.M. AND 9 P.M., FROM JUNE 01, 2021 THROUGH JULY 7, 2021 AT 3983 VAN DYKE. MR. SHANGO IS TO APPLY FOR AND SECURE A PERMIT FOR THE TEMPORARY SIGN, TEMPORARY TENT, AND FOR AN ELECTRICAL INSPECTION. A COPY OF THE LICENSE FROM THE STATE OF MICHIGAN IS TO BE SUBMITTED TO ALMONT TOWNSHIP PRIOR TO JUNE 01, 2021. MOTION UNANIMOUSLY CARRIED.

#2. Phantom Fireworks – Temporary Structure – SLU Renewal 19-04

Mr. Richard Tapper from Phantom Fireworks was present to renew their Special Land Use approval. There were no proposed changes from the previous years.

MOVED BY BARA, SUPPORTED BY ZENDER TO APPROVE THE RENEWAL OF SLU APPLICATION 19-04 AND ALLOW RICHARD TAPPER OF PHANTOM FIREWORKS TO DISPLAY AND SELL FIREWORKS BETWEEN 10 A.M. AND 10 P.M., FROM JUNE 24, 2021 THROUGH JULY 4, 2021 AT 5945 VAN DYKE. MR. TAPPER IS TO APPLY FOR AND SECURE A PERMIT FOR THE TEMPORARY SIGN, TEMPORARY TENT, AND FOR AN ELECTRICAL INSPECTION. A COPY OF THE LICENSE FROM THE STATE OF MICHIGAN IS TO BE SUBMITTED TO ALMONT TOWNSHIP PRIOR TO JUNE 24, 2021. MOTION UNANIMOUSLY CARRIED.

#3. Proposed text amendment to Zoning Ordinance 39.20, Article 2, Section 2.21.D.1(a) – Type 3 Home Occupations

Draft language for a proposed amendment to Article 2, Section 2.21.D.1(a) was introduced to the Commissioners. The proposed text amendment was drafted by the Township's attorney. This item will be placed on the April 14, 2021 agenda under Public Hearings.

OLD BUSINESS: NA

REPORTS:

Planner: ROWE SERVICES 2021 Spring CES Presentation. Planner Habben asked how many would like to attend in person if inside gatherings are allowed by April 21, 2021. If not, then the training session will be held virtually. The workshop will be held between 7 – 8 p.m.

Engineer: NA

Zoning Board of Appeals: Commissioner and ZBA Representative Bara gave a brief summary of the meeting held with DTE. All three variances were granted.

Zoning & Building: Verbal report given.

Planning Commission: NA

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April 14, 2021 Proposed Agenda items: Proposed text amendment to Art. 2, Section 2.21.D.1(a)

SLU 21-02 – DTE proposed Midas Sub Station

MOVED BY STREETER AND SUPPORTED BY ZENDER TO ADJOURN MEETING AT 8:17 P.M. MOTION CARRIED.

Respectfully submitted by,

Ida L. Lloyd

Ida L. Lloyd, Recording Secretary