

FRENCHTOWN CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
January 19, 2017

The meeting was called to order at 7:00pm

Roll call: Hedwig Kaufman Hillary Schmitz Steve Hyder
Paul Thoma Ignazio Cuccia Robert Thoma

Excused: Dennis Staelgraeve

Also present: Mark Mathe, Mannik & Smith Group, Township Engineer Representative
Chris D. Khorey, McKenna Associates, Township Planning Consultant
James Jacobs, James Jacobs Architects PLLC/, Salih Meh Meti, New Restaurant and
Dining, Masserant Group LLC and Frenchtown Harbor Association Storage Building
David Kubiske, David Arthur Consultants Inc./ Frenchtown Estates
Judd Chaille, Chaille Tower Consultants, LLC/T-Mobile Cell Tower

16 Interested persons

The pledge of allegiance was said by members and attendees.

A quorum being present, Chairman Ignazio Cuccia called the meeting to order at 7:03 p.m. This meeting was held under the Open Meetings Act.

Item No. 1 Agenda Approval.

Motion

Moved By: Hedwig Kaufman Supported By: Hillary Schmitz

A motion was made to approve the agenda as presented. MUC

Item No.2 Election of Officers

MOTION

Moved by: Hedwig Kaufman Supported by: Robert Thoma

A motion was made to nominate Mr. Cuccia as temporary Chairman until the Election of Officers could be completed.

MOTION

Moved by: Robert Thoma Supported: Paul Thoma

A motion was made to nominate Hillary Schmitz as Secretary for the year 2017, to close the nominations and to cast a unanimous ballot for Ms. Schmitz. MUC

MOTION

Moved by: Robert Thoma Supported: Hillary Schmitz

A motion was made to nominate Dennis Staelgraeve as Vice-Chairman for the year 2017, to close the nominations and to cast a unanimous ballot for Mr. Staelgraeve. MUC

MOTION

Moved by: Hillary Schmitz Supported: Paul Thoma

A motion was made to nominate Ignazio Cuccia as Chairman for the year 2017, to close the nominations and to cast a unanimous ballot for Mr. Cuccia MUC

MOTION

Moved by: Hedwig Kaufman Supported: Robert Thoma

A motion was made to nominate Ignazio Cuccia as the Planning Commission’s Liaison to the Township’s Zoning Board of Appeals, to close the nominations and to cast a unanimous ballot for Mr. Cuccia. MUC

Item No. 3 Minutes of November 17, 2016

Motion

Moved By: Robert Thoma Supported By: Hedwig Kaufman

A motion was made to approve the minutes for the November 17, 2016 meeting as presented. MUC

Item No. 4 Public Hearing- Master Plan- Review Comments and Recommendations to the Township Board.

Motion

Moved By: Hillary Schmitz Supported By: Robert Thoma

To accept and place on file the following correspondence:

- Legal Notice, Monroe Evening News, published January 3, 2017 MUC

Secretary Hillary Schmitz read the legal notice published in the Monroe Evening News on January 3, 2017 for all 4 public hearings: Draft Master Plan Review and Recommendation to the Township Board,

Special Use Request Chaille Tower for a T- Mobile Cell Tower, Special Use Request Masserant Group LLC for an Essential Services Storage Facility and Special Use Request Frenchtown Estates for a Preliminary Plat Review.

A total of 44 properties were notified in addition to the posting in the Monroe Evening News.

Motion

Moved By: Hillary Schmitz

Supported By: Paul Thoma

A motion was made to open the public hearing on the proposed future land use plan document at 7:10 p.m.

MUC

Chairman Cuccia asked if there were any comments from the public.

No public comments.

Motion

Moved By: Hillary Schmitz

Supported By: Robert Thoma

A motion was made to close the public hearing as to the draft future land use plan at 7:11 p.m.

MUC

Review Documents:

- Memorandum, dated December 19, 2016 County Planning Comments on Master Plan, Christopher Khorey
- Memorandum, dated January 11, 2017 Proposed Revision to Draft Future Land Use Map

Christopher Khorey presented to the commission members.

Monroe County review comments regarding the Master Plan Draft were discussed.

Members discussed recommendations.

No further discussion.

Motion

Moved By: Steve Hyder

Supported By: Hillary Schmitz

A motion was made to table the draft Master Plan for further discussion.

MUC

Draft Master Plan Discussion to be held on February 2, 2017 during a Planning Commission Workshop Meeting.

Item No. 5 Special Use Request - Chaille Tower Consultants LLC/T-Mobil Cell Tower- 7720 Mentel Road- Parcel ID# 011-031-50- Location of a Wireless Telecommunications Facility in an A Agricultural District.

Judd Chaille, Chaille Tower Consultants, LLC/T-Mobile Cell Tower presented his proposal to the Commission. Mr. Chaille stated that the Frenchtown Charter Township Ordinance changed midstream of this project. Due to the changes the applicant is asking that approval may be considered under the conditions that variances may be required due to those changes.

Mr. Khorey clarified the current amendments to the ordinance and how it affected this case.

Commission discussed.

MOTION

Moved By: Hillary Schmitz

Supported By: Hedwig Kaufman

A motion was made to open the public Hearing as to the proposed special use being the location of a wireless telecommunications facility at 7:30 p.m.

MUC

A gentleman asked about the location of another tower nearby.

Commission discussed locations of existing towers in the area.

MOTION

Moved By: Hillary Schmitz

Supported By: Robert Thoma

A motion was made to close the public Hearing as to the proposed Special Use at 7:33 p.m.

MUC

Motion

Moved By: Hillary Schmitz

Supported By: Hedwig Kaufman

To accept and place on file the following correspondence:

- Chris D. Khorey, McKenna Associates, dated December 22, 2016
- Mark Mathe, Mannik & Smith Group of Michigan dated November 28, 2016
- Submittal Documents
- Legal Notice, Monroe Evening News, January 3, 2017, 10 parcel owners notified

MUC

Chris Khorey went over the Planner's report dated December 22, 2016. Key points were addressed from his report. Amendments to the Frenchtown Township Ordinance and the effect on the proposed project were further discussed. Applicant's proposed storage cabinet instead of the required storage building was discussed. Mr. Khorey recommended Special Use be granted based on the information from his review document and to note that barbed wire shall not be placed on top of the fence, if the Commission decides that an enclosed equipment shelter is necessary, a revised site plan showing the

equipment shelter must be submitted and approval of the setback variance by the ZBA must be obtained. If the variance is not granted the Site Plan approvals shall be void.

Mark Mathe gave the Engineer's report dated November 28, 2016. The proposed gravel drive would not be supported by the current Zoning Ordinance. The Engineer is not opposed to a possible variance in this. Discussion was had regarding applicants request for a mesh type fence. The Township Engineer had no objections to the Planning Commission granting approval of the proposed Special Use, subject to comments as set forth in his review document, the Township Planner's report and recommendations with regard to the Special Use approval request.

Commission discussed and reviewed materials as presented.

Applicant stated that they have a contractual legal agreement with the land owner which provides that if the tower is no longer in use it must be removed.

Motion

Moved By: Paul Thoma

Supported By: Robert Thoma

A motion was made to approve the Special Use based on the applicant's compliance with both the Township Planner's and Engineer's reports along with the applicant either obtaining a variance from the Zoning Board of Appeals for the setback requirements and the approval of a gravel drive or complying with the Ordinance requirements. Tentative and Final Site Plan approval is granted so long as the documents for the structural design are submitted to the Township Planner and Engineer and the documents receive their final approval for their final approval.

MUC

Commission discussed further.

Applicant was advised to contact the Building Department as soon as possible to get on the next possible ZBA meeting date.

Roll Call: Cuccia- yes, Hyder-yes, Schmitz-yes, P. Thoma-yes, Kaufman-yes, R.Thoma-yes

6-Yes votes, 0 -No votes

Item No. 6 Public Hearing- Special Use Request –James Jacobs Architects PLLC/Masserant Group LLC- 6398 N Dixie- Parcel ID# 532-038-10, Construction of an Essential Service Storage Facility in an Agricultural District.

James Jacobs, Jacobs Architects PLLC presented for Masserant Group LLC and gave the reasons for the Special use request.

Motion

Moved By: Paul Thoma

Supported By: Hillary Schmitz

A motion was made to open the public Hearing on the proposed Special Use request for location of an essential services facility in an AG District at 8:03 p.m. MUC

Chairman Cuccia asked if there were any comments from the public.

No public comments.

Motion

Moved By: Hillary Schmitz

Supported By: Robert Thoma

A motion was made to close the public Hearing at 8:04 p.m.

MUC

Motion

Moved By: Paul Thoma

Supported By: Hillary Schmitz

To accept and place on file the following correspondence:

- Chris D. Khorey, McKenna Associates, dated January 5, 2017
- Mark Mathe, Mannik & Smith Group of Michigan dated January 3, 2017
- Submittal Documents
- Fire Review, Joshua Maddox, dated January 18, 2017
- Legal Notice, Monroe Evening News, January 3, 2017, 11 parcel owners notified

MUC

Chris Khorey went over the Planner's report dated January 5, 2017. Mr. Khorey wanted to clarify there had been some mention of this site being used for a potential gun range. This is not on the table for review during this meeting and is not being considered. The site may require a variance if a gravel drive is being requested as the Township Ordinance requires it to be paved for this use. Mr. Khorey recommended the Special Use may be granted based on the standards as listed in his report. If the Planning Commission considers giving Tentative site plan approval during this meeting the Planner would not be opposed at this time.

Commission Discussed the Planner's recommendations.

Mark Mathe gave the Engineer's report dated January 3, 2017. Mr. Mathe gave no objection to the Special Use approval subject to the comments set forth by the Engineer's review. While the Township Engineer has no objections to the applicant's proposal of a gravel access drive for the site due to intermittent use, rural location, and limited access, it should be noted that a variance will be required for this however. There were no objections if the Planning Commission wanted to proceed with tentative site plan approval.

Commission members reviewed and discussed information as presented.

No further discussion.

Motion

Moved By: Robert Thoma

Supported By: Hillary Schmitz

A motion was made to grant the Special Use based on the applicant's compliance with conditions as set forth in the Planner's and Engineer's reports.

MUC

Roll Call: Cuccia- yes, Hyder-yes, Schmitz-yes, P. Thoma-yes, Kaufman-yes, R. Thoma-yes

6-Yes votes, 0 -No votes

Item No. 7 Public Hearing- Tentative Preliminary Plat Review- David Arthur Consultants Inc./Earl Clark-Frenchtown Estates- Parcel ID# 476-026-00- 26.86 Acres more or less, Located along the North Side of Nadeau Road between Fix Road and North Dixie Highway, zoned R-1-A Residential.

Motion

Moved By: Hillary Schmitz

Supported By: Robert Thoma

To accept and place on file the following correspondence:

- Chris D. Khorey, McKenna Associates, dated December 23, 2016
- Mark Mathe, Mannik & Smith Group of Michigan dated January 13, 2017
- Submittal Documents
- Fire Inspector's reported dated, January 18, 2017
- Legal Notice, Monroe Evening News, January 3, 2017, 23 parcel owners notified.

MUC

David Kubiske, David Arthur Consultants Inc. for Frenchtown Estates presented.

Motion

Moved By: Hillary Schmitz

Supported By: Paul Thoma

A motion was made to open the public Hearing on the proposed residential subdivision at 8:28 p.m.

MUC

Chairman Cuccia asked if there were any comments from the public.

Bryan Strube, 2861 Nadeau, approached and voiced his concerns.

Commission discussed.

Mr. Kubiske stated he would be willing to take contact numbers for any neighbors interested in purchasing a portion of the L shaped lots going behind their properties.

Commission members discussed lot sizes.

Chairman Cuccia asked if there were any further comments from the public.

No further comments.

Motion

Moved By: Robert Thoma

Supported By:

A motion was made to close the public Hearing at 8:37 p.m.
Motion died for lack of second.

Commissioner Paul Thoma suggested that additional public comment be permitted.

Garry Dean, 2823 Nadeau, questioned the proposed development.
Austin Long, 2850 Nadeau, Franklin Jr. Jackes, 2849 Nadeau and Bryan Strube, 2861 Nadeau all voiced their continued concerns about the development.

Commission discussed.

Carrie Strube, 2861 Nadeau asked for further clarification on the setbacks.

Mr. Khorey referenced the Township Ordinance in order to offer further clarification.

Neighbors again voiced concerns about the new homes being placed back further, looking into existing neighbors yards.

Commission members reviewed and discussed information as presented.

No further comments from the public.

Motion

Moved By: Robert Thoma

Supported By: Paul Thoma

A motion was made to close the continued public hearing on the proposed subdivision at 8:53 p.m.
MUC

Chris Khorey went over the Planner's report dated December 23, 2016. Mr. Khorey wanted it noted that the proposed name chosen for the new subdivision was previously used for a mobile home park

development. Submittal documents were reviewed for conformance to the Township Subdivision Ordinance and the Requirements of the State Land Division Act. Proposed lots 1, 5 and 6 may require an access variance. For lots 5 and 6 if the existing homeowners are willing to purchase the land behind them, a variance will not be required for these two proposed parcels. A lot depth variance for lot 1 may be needed. At this time approval to the Township Board is recommended for the Preliminary Plat with changes as outlined in the Planner's review.

Commission members discussed the Township Planner's review.

Mark Mathe gave the Engineer's report dated January 13, 2017. Mr. Mathe reviewed the Preliminary Plat Requirements as it pertains to the Township Ordinance and the State Land Division Act Requirements. Section 8.B.3.c of the Township Subdivision Control Ordinance states that the Planning Commission should not recommend tentative approval of the Preliminary Plat to the Township Board if all requirements and conditions have not been met. . As such approval was not recommended at the time of the review. It is however recommend that this matter may be recommended to the Township Board if the applicant addressed issues as noted from the review document in addition to the required approval of the Monroe County Drain Commissioner, Monroe County Road Commission, Michigan Department of Environmental Quality, due to the sites proximity to the 100-year floodplain and the Frenchtown Fire Department's approval.

Commission members discussed the Engineer's review as presented.

Drainage of the site was discussed.

A Commissioner questioned the correspondence between the developer and the current homeowners as to the purchase of portions of property behind their existing homes.

Current developer stated there had been no interest though contact was attempted.

Current homeowners declared that the developer had not given them the opportunity to purchase any land behind their homes.

Chairman Cuccia had to declare a point of order as argument escalated between those present and the applicant's representative.

Motion

Moved By: Steve Hyder

Supported By: Robert Thoma

A motion was made to recommend to the Township Board tentative approval of the Preliminary Plat for Stoney Creek Estates Plat (formerly proposed as Frenchtown Estates Plat) conditioned upon compliance with the Township Engineer's and Planner's reports and to recommend approval of two variances for lot access and lot depth.

MUC

Roll Call: Cuccia- yes, Hyder-yes, P. Thoma-yes, Schmitz-yes, Kaufman-yes, R.Thoma-yes

Commission recessed for a 3 minute restroom break.

Item No. 8 Final Site Plan Revisions- James Jacobs Architects/Salih Meh Meti- Building Renovations and Site Improvements for New Restaurant & Dining-2770 N Dixie Highway- Parcel ID # 056-025-00, Zoned C-2 Commercial.

James Jacobs, Jacobs Architects PLLC presenting for Salih Meh Meti, proposed restaurant.

Mark Mathe gave the Engineer's report dated January 13, 2017. Mr. Mathe stated there were no objections to the Planning Commission granting approval of the revised Final Site Plan, subject to the applicant addressing all comments provided and incorporating those changes into the final site plan documents for review and approval by the Township Engineer. Applicant must also have the approval of all other governing agencies such as Drain Commissioner, Water Department, Planning Consultant and Fire Marshal. Further, the plans should reflect a shared drainage swale located on the adjacent Condominium site. It is imperative that the swale be constructed as part of the restaurant development to provide a positive drainage outlet and address water quality.

Commission discussed the Engineer's review.

Chris Khorey went over the Planner's report dated December 2, 2016. Mr. Khorey was not opposed the Planning Commission granting Final Site Plan approval with the conditions as listed in his report. The conditions should include but not limited to the height of the proposed turret, the front setback information clarified, photometrics for the site to be revised, and if the storage building on the Harbor Association property may not be built, the applicant must determine another acceptable method of screening the southeast lot line.

Commission discussed the Planner's recommendations.

Motion

Moved By: Hillary Schmitz

Supported By: Hedwig Kaufman

To accept and place on file the following correspondence:

- Chris D. Khorey, McKenna Associates, dated December 2, 2016
- Mark Mathe, Mannik & Smith Group of Michigan dated January 13, 2016
- Submittal Documents

MUC

Motion

Moved By: Paul Thoma

Supported By: Hillary Schmitz

A motion was made to approve the revised Final Site Plan with any further revisions necessary pursuant to the Township Engineer's and Planner's reports to be submitted for review to the Township Engineer

and Planner for any required final approvals. Applicant must also have the drainage issue addressed within the next six months.

Roll Call: Cuccia- yes, Hyder-yes, P. Thoma-yes, Schmitz-yes, Kaufman-yes, R. Thoma-yes MUC

6-Yes votes, 0 -No votes

Item No. 9 Appointment of Member to Zoning Ordinance Committee.

Under discussion: Memorandum, Zoning Ordinance Committee, dated January 5, 2017

Commission discussed.

Current members of the committee to include the Building Official, Joe Lehmann, Township Attorney, Kerry Bondy, Township Engineer, either Barry Buschmann or Mark Mathe, Township Planner, Chris Khorey, Township Trustee, Kraig Yoas and Township Trustee/Planning Commission representative, Hedwig Kaufman.

Commission discussed the process required by the Committee.

Mrs. Kaufman recommended Mr. Paul Thoma, Planning Commission member to be added to the Committee.

Mr. Cuccia asked that a backup be appointed if Mr. Paul Thoma cannot attend for some reason.

Mr. Hyder was suggested as the backup.

Motion

Moved By: Hedwig Kaufman

Supported By: Ignazio Cuccia

A motion was made to nominate Mr. Paul Thoma as the Planning Commission representative to the Zoning Ordinance Committee.

MUC

Item No. 10 Medical Marihuana Facilities/Discussion/Recommendation to Board Regarding Moratorium.

Under discussion: Memorandum, New Medical Marijuana Law, dated January 3, 2017

Commission discussed.

Motion

Moved By: Steve Hyder

Supported By: Hedwig Kaufman

A motion was made to recommend to the Township Board to have the Township Attorney prepare the necessary moratorium extension documents to allow time to address this issue.

MUC

Commission discussed further.

No further discussion

Item No. 11 Administrative Reviews Update/Chairperson

Ignazio Cuccia provided an update to the Planning Commission on the Mini Committee and Special Meetings he has attended since the last Planning Commission meeting.

- Mini Committee Meetings to report: Nothing new to report
- ZBA Meetings to report: Garage variance, Parcel # 351-003-30 which is located at 1601 Sandy Creek Road Monroe, MI 48162 601 Sandy Creek. Variance granted.

Item No. 12 Old Business.

Under discussion: Letter, request for extension of the accessory garage/storage buildings for Frenchtown Harbor Association, dated January 17, 2017

Mr. Jim Jacobs presented for the request. Extension does not include any changes to the scope of work but is only necessary to clear up some internal legal and paperwork issues that have arisen so that development may proceed.

Motion

Moved By: Hillary Schmitz Supported By: Paul Thoma

A motion was to place on file the letter requesting the extension. MUC

Motion

Moved By: Hedwig Kaufman Supported By: Hillary Schmitz

A motion was made to grant the extension of the final site plan approval for the Frenchtown Harbor Storage Units project pursuant to Zoning Ordinance Section 27.12 for a period of 1 year. MUC

Mr. Khorey stated that the Township still has not received a copy of the revised condominium documents that was part of the previous condition of the Final Site Plan approval.

Mr. Jim Jacobs offered his services if a civilian volunteer would be welcome on the Zoning Amendment Committee.

Commission was in favor of this addition and would let Mr. Jacobs know if his service could be utilized. Mrs. Kaufman volunteered to bring the request before the Township Board for consideration.

Item No. 13 New Business.

Mean Height to accessory structures: Changes to the Ordinance discussed.

Mileage: Mr. Cuccia asked about the reimbursement of miles for Planning Commission cases reviewed and the reasons the Board was not in favor of paying this the same way that ZBA cases are reimbursed.

Commission discussed.

Matter will be brought to the Boards attention again at the end of the year.

No further discussion

Item No. 14 Adjournment.

Motion

Moved By: Hillary Schmitz

Supported By: Robert Thoma

A motion was made to adjourn the meeting at 10:10 p.m.

MUC