

FRENCHTOWN CHARTER TOWNSHIP
PLANNING COMMISSION MEETING

March 21, 2019

The meeting was called to order at 7:00 p.m.

Roll call: Kraig Yoas Dennis Staelgraeve Fred Calkins
Ignazio Cuccia Paul Thoma Hillary Schmitz
Brian Dotson

Also present: Mark Mathe, Mannik & Smith Group, Township Engineer Representative
Mario Ortega, McKenna Associates, Township Planning Consultant
Natalie Askar, Planning Commission Recording Secretary
Joseph Lehmann, Township Building Official
Frank Aragona, Holiday Land LLC
Francesca Aragona, Designhaus LLC
James S. Jacobs, James S. Jacobs Architects, PLLC

24 interested citizens

A quorum being present, Chairman Ignazio Cuccia called the meeting to order at 7:00 p.m. This meeting was held under the Open Meetings Act.

All those present were requested by Chairperson Cuccia to rise and recite the Pledge of Allegiance.

Item No. 1 Agenda Approval.

Motion

Moved By: Kraig Yoas

Supported By: Dennis Staelgraeve

A motion was made to approve the agenda as presented with the correction to move Item No. 8 and put it as 2b.

MUC

Item No. 2 Minutes of February 21, 2019 Meeting.

Motion

Moved By: Hillary Schmitz

Supported By: Paul Thoma

A motion was made to approve the minutes for the February 21, 2019 Planning Commission meeting as presented.

6 – Yes votes, 1 abstained

Item No. 2b Old Business (Previously Item No. 8)

Mario Ortega, McKenna Associates, commented on the special use that was approved. As a part of the special use process the Planning Commission can impose certain conditions and one of those conditions included an annual report from applicant to provide information specific to the use, specifically the number of licenses and other aspects. Mr. Ortega informed the Planning Commission that we were notified by email from the applicant that they do not intend to continue their special use approval and are moving outside the Township. They do not intend to continue operating in Frenchtown in the future.

Ms. Schmitz commented on the Go Fund Me page that says they have found a new place for sanctuary but “the best way to meet the needs of all our animals is to divide the properties into two farms. One will focus on rehabilitation and one will create the perfect forever home for our dogs”. So according to their Go Fund Me page they are still planning on operating in Frenchtown Charter Township.

Mr. Ortega responded that they have not indicated to us any kind of request to change their lot configuration, to change their use, or to continue. We advised the applicant that, as part of their approval, they needed to submit their annual information and complete the site plan requirements in order to be in compliance and to continue the special use. The only response we received from the applicant is that she no longer intends to operate in Frenchtown and therefore she will not be providing any information to the Township and will not be in attendance tonight.

Mr. Thoma asked Mr. Ortega if he has any recommendation with respect to revoking or extending the special use.

Mr. Ortega stated that we could begin the process to revoke since the applicant has not submitted the required documents by the March 1 deadline.

Motion

Moved By: Dennis Staelgraeve

Supported By: Hillary Schmitz

A motion was made to open the public hearing at 7:07 pm.

MUC

Ignazio Cuccia, Planning Commission Chairperson, asked if there were any citizens who wished to address the Commission as to the request.

One concerned citizen spoke against the Devoted Barn. The citizen voiced concerns about Ms. Borden destroying the property and suggested that she has done it before in Dearborn, and now in Frenchtown and will do it again in Exeter Twp. The citizen wanted to know what steps will be taken going forward. In addition, the citizen is concerned that Ms. Borden will leave the animals behind and was also concerned about the disposal of all the dead animals on the property buried behind the barn.

Another concerned citizen spoke against the Devoted Barn. The citizen voiced concerns about the deplorable conditions that the animals are living in, the number of animals on the property, the piles of manure and straw on the property and the piles of garbage. This concerned citizen is also worried about Ms. Borden leaving the animals on the property.

A third citizen spoke against the Devoted Barn and voiced concerns about the rats, manure, garbage and trash and also wanted to know where we go from here?

Motion

Moved By: Dennis Staelgraeve

Supported By: Paul Thoma

A motion was made to close the public hearing at 7:15 pm.

MUC

Motion

Moved By: Kraig Yoas

Supported By: Dennis Staelgraeve

A motion was made to revoke the Special Use for Devoted Barn as Applicant (Melissa Borden) has expressed in writing to the Township on February 6th, 2019, her intent not to continue the Special Use Approval and has not satisfied the special use conditions imposed by the Township and to allow the applicant 60 days to remove the animals and discontinue the use on the Subject Property.

Roll Call: Cuccia – Yes, Staelgraeve – Yes, Schmitz – Yes, Yoas – Yes,
Thoma – Yes, Dotson– Yes, Calkins – Yes.

7 - Yes votes, 0 - No votes

MUC

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

A motion was made to accept and place on file the following correspondence:

- Emails from Melissa Borden informing Township that she will no longer be operating in the Township and will not be attending this Planning Commission meeting
- 1 letter from Building Department with attached memo from McKenna regarding special use conditions (circa 2017).

MUC

Other Old Business

Another concerned citizen wanted to discuss other old business – specific to issues that he has brought to the township (his address, proposal procedures, trash, tiny home proposal, sign permit, living in an accessory structure, etc.).

Since these are issues that the Planning Commission has not previously heard nor know anything about, we are unable to comment or make any decisions on these issues. Informed citizen to speak with appropriate persons/departments at the Township to get his issues resolved.

Item No. 3 Public Hearing – Special Use: Parcel ID# 5807-646-004-00. Monroe Storage/Design Haus, LLC request for a proposed Indoor Self-Storage Facility located at the northeast corner of Stewart Road and the CSX Railroad in the C-3, Highway Commercial zoning district.

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

A motion was made to accept and place on file the following correspondence:

- Mario Ortega, McKenna Associates, dated March 13, 2019
- Mark Mathe, Mannik & Smith Group of Michigan, dated March 13, 2019
- Affidavit of Mailing (46 property owners were notified)
- Legal Notice, Monroe News, March 5, 2019
- Joshua W. Maddox, Frenchtown Fire Inspector, dated March 14, 2019
- Special Use Submittal Documents
- 2 letters from concerned citizens

Francesca Aragona, Designhaus LLC and Frank Aragona, Holiday Land LLC, approached and presented to the Commission. 4 buildings, 2800 square feet each, no external doors, controlled entry, covered loading/unloading, security, with 7 – 10 users per day and employs a maximum of 3 employees is proposed.

Mario Ortega, McKenna Associates, presented the Planner's report dated March 13, 2019. Mr. Ortega states that the applicant should revise the landscape plan to ensure compatibility with the adjacent single-family residential district. Once an updated landscape plan is submitted and complies with the zoning ordinance and the Planning Commission's requests, Mr. Ortega finds the proposed special land use compatible and consistent with the Zoning Ordinance. There are concerns with gatherings for auctions.

Mark Mathe, Mannik & Smith Group of Michigan, Township Engineer, presented the engineer's report dated March 13, 2019. Mr. Mathe had no objection to the Planning Commission recommending special use approval subject to the comments set forth in his review.

Motion

Moved By: Dennis Staelgraeve

Supported By: Hillary Schmitz

A motion was made to open the public hearing at 7:54 pm.

MUC

Ignazio Cuccia, Planning Commission Chairperson, asked if there were any citizens who wished to address the Commission as to the request.

One concerned citizen on west side of the railroad tracks stated that Monroe is saturated with storage facilities and that there is a water pressure problem.

Another concerned citizen (resident on Dazarow) voiced concerns about all the debris of cement, piping, dirt and gravel that were dumped on this property back in 1988 when Stewart Road was widened and redone. As a result, many people along Dazarow have lots of water in their backyards. They need to change the slope of the property for the water to drain away toward the railroad tracks. This citizen is worried about basement flooding – his sump pump is working every 10 minutes on dry days and every 2 minutes on wet days.

A third concerned citizen (resident on Dazarow) voiced concerns about all the water that sits in his yard. Also concerned about all the debris of cement, piping, dirt and gravel that were dumped on this property back in 1988 when Stewart Road was widened and redone.

A fourth concerned citizen (resident on Dazarow) voiced concerns about needing a fence between this property and theirs. There have been way too many problems with the ProMedica property on the other side of Dazarow where the police need to be called a lot.

A fifth concerned citizen (resident on Dazarow) voiced concerns about his parents back yard being flooded all the time and the increase in traffic along Stewart Rd. Fire hydrant at end of road is tagged and needs to be fixed. The citizen advises that it has been this way for at least 10 years.

Motion

Moved By: Paul Thoma

Supported By: Hillary Schmitz

A motion was made to close the public hearing at 8:33 pm.

MUC

Motion

Moved By: Paul Thoma

Supported By: Kraig Yoas

A motion was made to grant approval for the Special Use: Parcel ID# 5807-646-004-00. Monroe Storage/Design Haus, LLC request for a proposed Indoor Self-Storage Facility located at the northeast corner of Stewart Road and the CSX Railroad in the C-3, Highway Commercial zoning district conditioned upon:

- tentative/final site plan approval
- addressing security issues to satisfaction of Commission
- addressing drainage issues to satisfaction of Commission
- that site does not function as a 24-hour facility and will have set limited hours approved by the Commission.

Roll Call: Cuccia – Yes, Staelgraeve – Yes, Schmitz – Yes, Yoas – Yes,
Thoma – Yes, Dotson– Yes, Calkins – Yes.

MUC

7 - Yes votes, 0 - No votes

Item No. 4. Tentative Site Plan Review: Parcel ID# 5807-646-004-00. Monroe Storage/Design Haus, LLC request for a proposed Indoor Self-Storage Facility located at the northeast corner of Stewart Road and the CSX Railroad in the C-3, Highway Commercial zoning district.

Motion

Moved By: Hillary Schmitz

Supported By: Paul Thoma

MUC

A motion was made to accept and place on file the following correspondence:

- Mario Ortega, McKenna Associates, dated February 12, 2019
- Mark Mathe, Mannik & Smith Group of Michigan, dated January 25, 2019
- Joshua W. Maddox, Frenchtown Fire Inspector, dated March 14, 2019
- Submittal Documents
- 2 letters from concerned citizens

Mario Ortega, McKenna Associates, presented the Planner's report dated February 12, 2019. Mr. Ortega recommends that the Planning Commission provide the applicant with direction on the 10 review considerations listed in his report. Mr. Ortega discussed how 92 parking spaces are required and that there are only 35 depicted on the site plan. The proposed landscaping exceeds our requirements and Planner suggests that the Township work with the residents and applicant to find out what works best for all concerned (lights, trees, fence, etc.). Some things that need to be addressed by the applicant are:

- Lighting details
- Dumpster enclosures
- Drain Commissioner approval
- Road Commission approval

Commission members discussed easements, location and number of dumpsters, plan for refuse, sidewalks, fence along N and E sides of property, trees and drainage.

Mark Mathe, Mannik & Smith Group of Michigan, Township Engineer, stated that they need:

- Topography survey
- Drain Commissioner approval – regarding storm water drainage.
- Road Commission approval – regarding best location for access to Stewart Rd.

Francesca Aragona, Designhaus LLC and Frank Aragona, Holiday Land LLC, approached and addressed storm water run-off questions.

Motion

Moved By: Paul Thoma

Supported By: Kraig Yoas

A motion was made to table the Tentative Site Plan Review so the applicant can address the issues.

Roll Call: Cuccia – Yes, Staelgraeve – Yes, Schmitz – Yes, Yoas – Yes,
Thoma – Yes, Dotson – Yes, Calkins – Yes.

MUC
7 - Yes votes, 0 - No votes

Item No. 5 Public Hearing – Rezoning: Parcel ID# 5807-065-085-00 (on N. Monroe St.) from R-3-A Multiple Family Residential to C-2 General Commercial.

Motion

Moved By: Hillary Schimtz

Supported By: Brian Dotson

MUC

A motion was made to accept and place on file the following correspondence:

- Mario Ortega, McKenna Associates, dated February 12, 2019
- Mark Mathe, Mannik & Smith Group of Michigan, dated January 25, 2019
- Joshua W. Maddox, Frenchtown Fire Inspector, dated March 14, 2019
- Submittal Documents

James S. Jacobs, James S. Jacobs Architects, PLLC, approached and presented to the Commission.

Mario Ortega, McKenna Associates, presented the Planner’s report dated March 13, 2019. Mr. Ortega recommends approval of the rezoning of the 0.92-acre site located at 2475 N. Monroe Street from R-3-A Multi-Family to C-2 General Commercial.

Mark Mathe, Mannik & Smith Group of Michigan, Township Engineer, presented the engineer’s report dated March 13, 2019.

Motion

Moved By: Hillary Schmitz

Supported By: Paul Thoma

A motion was made to open the public hearing at 9:32 pm.

MUC

Ignazio Cuccia, Planning Commission Chairperson, asked if there were any citizens who wished to address the Commission as to the request.

One concerned citizen voiced concerns and spoke against rezoning.

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

A motion was made to close the public hearing at 9:36 pm.

MUC

Motion

Moved By: Hillary Schmitz

Supported By: Fred Calkins

A motion was made to recommend approval to the Township Board of the application for the rezoning of Parcel ID# 5807-065-085-00 (on N. Monroe St.) from R-3-A Multiple Family Residential to C-2 General Commercial.

Roll Call: Cuccia – Yes, Staelgraeve – Yes, Schmitz – Yes, Yoas – Yes,
Thoma – Yes, Dotson– Yes, Calkins – Yes.

MUC

7 - Yes votes, 0 - No votes

Item No. 6 Public Hearing – Zoning Amendment: Accessory Structures.

Mr. Ortega presented the proposed changes to the Zoning Ordinance 200 section 4.45 on Accessory Structures.

Joseph Lehmann, Frenchtown Building Official, explained the proposed changes to the Commission and answered questions.

Motion

Moved By: Hillary Schmitz

Supported By: Paul Thoma

A motion was made to open the public hearing at 9:50 pm.

MUC

Ignazio Cuccia, Planning Commission Chairperson, asked if there were any citizens who wished to address the Commission as to the request.

No comments were made.

Motion

Moved By: Dennis Staelgraeve

Supported By: Hillary Schmitz

A motion was made to close the public hearing at 9:51 pm.

MUC

Motion

Moved By: Kraig Yoas

Supported By: Dennis Staelgraeve

A motion was made to recommend approval of the proposed text amendments to Section 4.45 regarding accessory structures to the Township Board.

Roll Call: Cuccia – Yes, Staelgraeve – Yes, Schmitz – Yes, Yoas – Yes,
Thoma – Yes, Dotson– Yes, Calkins – Yes.

MUC

0 - Yes votes, 0 - No votes

Item No. 7 Zoning Ordinance Article Regarding Lighting: Review and Discussion/Set Public Hearing

Motion

Moved By: Dennis Staelgraeve

Supported By: Hillary Schmitz

A motion was made to table this item to the next meeting.

MUC

Item No. 8 Old Business (MOVED to Item No. 2b)

- Review Special Use Permit/Revocation – Devoted Barn
- Other Old Business

Item No. 9 New Business.

There were no new comments or concerns from the public to the Planning Commission.

The Board discussed the possibility of having a workshop regarding the Mall.

Ignazio Cuccia, Planning Commission Chairperson, informed rest of board that there are no submissions to be on next month's agenda.

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

A motion was made to cancel the next scheduled meeting of April 18th, 2019.

MUC

Item No. 10 Administrative Reviews Update/Chairperson.

- Mini Committee: none
- ZBA: 500' Variance from Fire Department for Michigan Fuels

Item No. 11 Adjournment.

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

A motion was made to adjourn the meeting at 10:20 p.m.

MUC