
**CHARTER TOWNSHIP OF WATERFORD
NOTICE OF PLANNING COMMISSION REGULAR MEETING
TUESDAY, August 23, 2022 4:30 P.M.**

- I. Call the Meeting to Order
Chairperson Ray called the meeting to order at 4:30 p.m.
- II. Roll Call
- Present: Matt Ray, Chair
Scott Sintkowski, Vice Chair
Dave Kramer, Secretary
Tony Bartolotta, Commissioner
Thomas Strat, Commissioner
Art Frasca, Commissioner
Steve Printz, Commissioner
- Absent: None
- Also Present: Jeffrey Polkowski, Superintendent/Planning
Justin Daymon, Zoning Administrator
Lisa Kane, Recording Secretary
- Public Present: Approximately 20 members of the public
- III. Approve the Agenda of the August 23, 2022, regular meeting of the Planning Commission as printed.
1. Amend to change the order of cases presented
- a. 1. Case No. PRSA 22-08-01 (PSP22-1436) SROA Expansion
2. Case No. PRSA 22-07-06 (PSP22-1435) Heroes BBQ & Brew Covered Patio
3. Case No. PRSA 22-07-05 (PSP22-1333-A) DTE Public Utilities Service Center

MOTION AND VOTE

Moved by Bartolotta

*Supported by Frasca: Resolved to **Amend** the August 23, 2022 Planning Commission Meeting Agenda.*

MOTION CARRIED UNANIMOUSLY BY SHOW OF HANDS

(7 - 0)

MOTION AND VOTE

Moved by Frasca

*Supported by Bartolotta: Resolved to **Approve** the August 23, 2022 Planning Commission Meeting Amended Agenda.*

MOTION CARRIED UNANIMOUSLY BY SHOW OF HANDS

(7 - 0)

- IV. Approve the Minutes of the July 26, 2022, regular meeting of the Planning Commission as printed.

MOTION AND VOTE

Moved by Bartolotta

*Supported by Frasca: Resolved to **Approve** the July 26, 2022 Planning Commission Meeting Minutes.*

MOTION CARRIED UNANIMOUSLY BY SHOW OF HANDS

(7 - 0)

- V. Consent Agenda

MOTION AND VOTE

Moved by Frasca

*Supported by Bartolotta: Resolved to **Approve** the Planning Commission Meeting Consent Agenda.*

MOTION CARRIED UNANIMOUSLY BY SHOW OF HANDS

(7 - 0)

- VI. Site Plans and Public Hearings

1. Case No. PRSA 22-08-01 (PSP 22-1436) SROA Expansion – Public Hearing

Parcel I.D. No. 13-20-129-008; T3N, R9E, SEC 20 PART OF E 1/2 OF NW 1/4 BEG AT PT DIST S 00-15-20 W 360.00 FT FROM N 1/4 COR, TH S 00-15-20 W 1637.80 FT, TH N 89-36-10 W 427.90 FT, TH N 00-09-20 W 1634.90 FT, TH E 179.92 FT, TH N 00-07-30 E 310.00 FT, TH E 40.00 FT, TH S 00-07-30 W 310.00 FT, TH E 220.00 FT TO BEG 16.57 A

Requesting: Special Approval to expand an existing commercial storage facility.

Property Location: 6535 Highland Rd

Property Zoned: HT-2, High Tech Industrial & Office

Applicant: SROA 6535 Highland MI, LLC (Storage Rentals of America)

Applicants present: Beau Raich of Storage Rentals of America, Alexa Turney of Kimley Horn Civil Engineers and Ben Johnson of MSSl Design

Mr. Polkowski introduced the project as an expansion of operations of existing commercial storage. The applicant intends to replace the majority of the outdoor storage area and convert it to indoor storage. Storm water and other site improvements are proposed. The area near the site's southern property boundary will remain outdoor storage for automobiles and recreational vehicles. A waiver is requested for the internal landscaping deficiency, staff recommends a row of arborvitae be planted on the inside of the fence at the eastern and western boundary, starting at the southern boundary and continuing to the north for 15 feet past the area of disturbance for the project. The current fence needs to be repaired and boards in poor condition need be replaced. This proposed project improves the existing lot and it does not increase outdoor storage.

Mr. Raich stated that he agrees to the landscaping and fence improvement request.

Chairperson Ray opened public comment at 4:36 p.m.

Mike Jessee of 1218 Whittier is concerned with the current condition of the property and the lack of accountability from the property owner for maintenance.

Public speaker 2 has concerns with traffic and is disappointed with the current maintenance of the property. Storm water runoff is a concern as well.

Joseph Junglas of 1178 Whittier stated that the applicant has begun excavating without a permit.

Mike Rooney of Oak Point Woods Condo Association to the south of the storage facility. There is a concern of the view of the stored automobiles and recreational vehicles at the south boundary after the leaves fall the view for the neighbors in the condominiums. Mr. Rooney asked if the applicant could plant arborvitae at the south boundary fence as well.

Nellie Leo of 1016 Oak Point Dr. has concerns of the storage of old disabled vehicles and school busses that are visible after the leaves fall in autumn. Ms. Leo is also a concerned of the building material for the new structures and asked if a taller fence can be built to obscure the view.

Marlene Knaus of 1014 Oak Point Dr. agreed with the other neighbors' concerns. Ms. Knaus asked how do they ensure that the applicant is held accountable to the site plan.

Chairperson Ray closed public comment at 4:46 p.m.

Commissioner Sintkowski disclosed that his residence abuts this property.

Commissioner Strat asked if the applicant could address the community members' concerns.

Ms. Turney stated that the proposed storm water management and retention basin would alleviate any concerns with flooding.

Mr. Raich stated that they purchased this project in 2018 and agrees that the fence needs to be repaired. This project will be a significant investment in the property and they intend to get the old vehicles out of the location.

Commissioner Strat inquired about the concern of the neighbors' view in fall and winter when there are no leaves on the trees.

Mr. Raich stated that planting the arborvitae trees should help resolve the neighbors' concerns about the view. He also noted that there are mature trees that have grown into the fence, they want to maintain the fence without disrupting the neighbor's landscaping.

Commissioner Strat stated that converting storage to indoor is a positive step forward but is concerned about the condition of some vehicles that are stored in the outdoor area.

Mr. Raich stated that the proposed improvements would affect rates, which they expect will improve the quality of what is being stored in the outdoor area.

Mr. Polkowski stated that the conditions could be modified to include the southern boundary landscaping.

Mr. Raich stated that they agree to include landscaping on the southern boundary.

Chairperson Ray inquired about the materials planned for the buildings.

Mr. Raich stated that they are planning corrugated metal, one-story buildings that will be painted white with grey gutters.

Commissioner Strat inquired about the plan for lighting.

Mr. Raich stated that a photometric plan would be included with the site plan that would meet the ordinance.

Chairperson Ray asked about the entrances to the indoor storage.

Mr. Johnson, designer for the project, stated that there will be only one door at the loading area of each building and customers access their unit from a 5-foot corridor. No automobiles or boats will be stored inside the building.

MOTION AND VOTE

Moved by Sintkowski

*Supported by Kramer: Resolved to **approve with conditions** the request for special approval in this case based on the following findings and conclusions under the Ordinance review criteria and considerations, which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.*

Findings:

- A. The proposed use **is not** in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.
- B.1 The proposed use **will** be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.
- B.2 The proposed use **will not** have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.
- B.3 The proposed use **will not** result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.
- C. The proposed use **is not** located in any Special Approval use service areas identified and adopted by the Planning Commission.
- D. The proposed use **will not** impose an unreasonable burden upon public services and utilities.
- E. The proposed use **will** be in compliance with the regulations of the Zoning District in which it is proposed to be located.

Conclusions:

- A.1 The proposed use **is** of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.
- A.2 The proposed use **will** be compatible with the orderly development or use of adjacent zoning lots.
- A.3 Pedestrian circulation **will not** be hindered by the proposed use.
- A.4 Outdoor operations and display in connection with the proposed use **will not** burden and/or disrupt uses on adjacent properties.
- A.5 The natural and surrounding environment **will not** be negatively impacted by the proposed use.
- B. The proposed use **will** be within the capacity limitations of the existing or proposed public services and facilities which serve its proposed location.

C. The proposed use **will not** be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.

Conditions:

The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:

1. All comments will be addressed to the satisfaction of staff prior to final approval.
2. Staff may coordinate and finalize site plan details.
3. The required width of the greenbelt along the eastern boundary is reduced to 25 ft.
4. The requirements for plant materials within the parking lot, interior, and greenbelt landscaping areas is waived with the exception of a row of arborvitae being planted inside the fence line along the eastern, western and southern boundaries starting at the southern boundary and continuing north 15 ft past where the disturbed area of this project ends.
5. The fence wall is to be repaired and maintained.
6. The Planning Commission reserves the right to modify or revoke this special approval following complaints, safety concerns, or site plan violations.

MOTION CARRIED UNANIMOUSLY BY SHOW OF HANDS

(7 - 0)

2. Case No. PRSA 22-07-06 (PSP 22-1435) Heroes BBQ & Brew Covered Patio – Public Hearing

Parcel I.D. No. 13-25-455-030; T3N, R9E, SEC 25 HURON GARDENS LOTS 223 TO 226 INCL

Requesting: Special Approval for an outdoor dining patio at an existing restaurant establishment.

Property Location: **998 W Huron St**

Property Zoned: C-3, General Business

Applicant: Heroes BBQ & Brew

Applicants present: Tim Nick of 998 W Huron St., Waterford MI and Scott Monchnik of 1700 Stutz Dr., Troy MI

Commissioner Strat disclosed that he is a friend of the applicant and asked to abstain from voting on the case.

Mr. Polkowski introduced the project for outdoor dining patio including site and façade improvements. Additional landscaping proposed exceeds what is required, including screening for the dumpster area. There is a concern of noise for the adjoining neighbors, therefore, staff recommends a poured concrete or masonry wall be installed along the north property line instead of wood fencing. Staff recommends approval with the condition that all department comments and concerns are addressed before site plan approval is given.

Mr. Nick stated he would not like to use poured concrete for the north property line screening.

Mr. Monchnik, architect for the project, inquired about the requirement for the fence screening material.

Mr. Polkowski stated acceptable materials to abate noise on the north property line.

Chairperson Ray opened public comment at 5:09 pm

No members of the audience spoke.

Chairperson Ray closed public comment at 5:09 p.m.

Commissioner Sintkowski inquired what other materials have been considered by the applicant for the northern fence.

Commissioner Strat inquired if the applicant could have the opportunity to consider other options for fence materials.

The board deliberated giving the applicant more time to consider other options for fencing materials.

Mr. Polkowski stated that staff will work with the applicant to determine an improved screening material for the northern fence.

MOTION AND VOTE

Moved by Frasca

*Supported by Bartolotta: Resolved to **approve with conditions** the request for special approval in this case based on the following findings and conclusions under the Ordinance review criteria and considerations, which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.*

Findings:

- A. The proposed use **is** in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.
- B.1 The proposed use **will** be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.
- B.2 The proposed use **will not** have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.
- B.3 The proposed use **will not** result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.
- C. The proposed use **is not** located in any Special Approval use service areas identified and adopted by the Planning Commission.
- D. The proposed use **will not** impose an unreasonable burden upon public services and utilities.
- E. The proposed use **will** be in compliance with the regulations of the Zoning District in which it is proposed to be located.

Conclusions:

- A.1 The proposed use **is** of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.
- A.2 The proposed use **will** be compatible with the orderly development or use of adjacent zoning lots.
- A.3 Pedestrian circulation **will not** be hindered by the proposed use.
- A.4 Outdoor operations and display in connection with the proposed use **will not** burden and/or disrupt uses on adjacent properties.
- A.5 The natural and surrounding environment **will not** be negatively impacted by the proposed use.

B. The proposed use **will** be within the capacity limitations of the existing or proposed public services and facilities which serve its proposed location.

C. The proposed use **will** be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.

Conditions:

The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:

1. All comments will be addressed to the satisfaction of staff prior to final approval.
2. Staff may coordinate and finalize site plan details.
3. The Planning Commission reserves the right to modify or revoke this special approval following complaints, safety concerns, or site plan violations.
4. A screening wall made of wood or higher grade material is to be used along the northern property line.

MOTION CARRIED BY SHOW OF HANDS

(6 - 0) with Commissioner Strat abstaining from the vote

3. Case No. PRSA 22-07-05 (PSP 22-1333-A) DTE Public Utilities Service Center – Public Hearing

Parcel I.D. No. 13-25-200-034; T3N, R9E, SEC 25 PART OF NE 1/4 BEG AT PT DIST N 00-32-10 W 1948 FT & S 89-27-50 W 50 FT FROM E 1/4 COR, TH S 89-27-50 W 1311.04 FT, TH N 00-31-10 W 725.80 FT, TH N 89-56-50 E 1310.87 FT, TH S 00-32-10 E 714.74 FT TO BEG 21.68 A 10-23-18 FR 032 & 033

Requesting: Special Approval for fueling facilities, major vehicle repair facilities, and outdoor storage of materials and equipment as accessory uses to a public utility building.

Property Location: **SW Corner of Telegraph Rd and Mall Dr. E.**

Property Zoned: C-4, Extensive Business

Applicant: DTE Electric Company

Applicants present: Tony Tiderington of DTE Electric Company at One Energy Plaza, Detroit MI, Jon Schwartz of Brivar Design at 9325 Maltby Rd., Brighton MI, Michael Peterson of Nowak & Fraus Engineers at 46777 Woodward Ave, Pontiac MI and Doug Necci of DRN Architects at 50850 Applebrook Dr., Northville MI

Mr. Polkowski introduced the project. Engineering consultants have reviewed the project and expect the standards will be met. The project meets all requirements for the required greenbelt, however they are asking for a waiver for internal landscaping deficiencies. Staff recommends planting shrubs on the private road, Mall Drive, in exchange for the internal landscaping waiver. Outdoor storage should be limited to vehicles, equipment and machinery and should not include any items for use in other DTE service areas. No temporary storage should exceed 8 feet in height. Staff recommends approval subject to the applicant submitting a revised site plan that addresses all department comments and concerns, allowing staff to address any outstanding site design issues.

Mr. Tiderington addressed the Planning Commission and stated that they intend to begin construction in the fall of 2022 and complete by 2024.

Mr. Schwartz presented the project as general office, warehouse space, vehicle maintenance bays, outdoor equipment storage and a fleet fueling station. The plan includes a screened PVC wall system, which resembles masonry construction, to enclose the northwestern, western and southwestern boundaries. The remaining boundaries will be enclosed by a tight-weave fence system. They have no objections to the recommendations from DPW and Fire Department for additional fire hydrants or other recommendations. Mr. Schwartz stated they would comply with all items listed in the Fire Department review. Engineering consultant, DLZ, has requested a response from Nowak & Fraus Engineering, which will be addressed in the engineering site plan. The required 5-foot-wide sidewalk will be constructed on Telegraph and Mall Drive. Mr. Schwartz stated that they would like to work with staff to add landscaping to make up for deficiencies.

Chairperson Ray opened public comment at 5:44 p.m.

Arie Leibovitz of 435 N. Telegraph inquired about the material used for the screening wall and the proposed landscaping on the south boundary and about the timeline for the project.

Chairperson Ray closed public comment at 5:45 p.m.

Mr. Schwartz stated that the screening wall is a SIM Tech wall system, 8-foot high synthetic PVC wall system that appears similar to masonry or stacked stone. Currently there is no landscaping on the south boundary. They anticipate beginning construction in the fall of 2022 and completing in the first quarter of 2024.

Commissioner Sintkowski inquired when they would take occupancy in the building.

Mr. Tiderington stated that their goal would be to occupy the building before the storm season begins in 2024.

Commissioner Strat inquired what items would be stored at the facility and thanked them for the thorough presentation.

Mr. Tiderington stated that the only vehicles that will be stored are for service center use, large equipment such as transformers would be in the covered storage racks. No loose gravel will be stored. Poles will be stored horizontally on a cantilever rack.

Chairperson Ray inquired if the applicant has a contingency plan in case of oil spills. Mr. Ray also inquired if electric vehicle charging stations will be on site for public or private use.

Mr. Tiderington stated that any items that are oil-filled will be stored in bins to contain any spills. The plan includes 2 dual EV chargers for employees and 17 dual EV chargers for company vehicles.

Mr. Polkowski stated that the EV chargers are an accessory use and need to be noted on the site plan and can be added as a condition to this approval.

Mr. Tiderington noted the EV charging stations are indicated as circles but they are not called out by name.

MOTION AND VOTE

Moved by Frasca

*Supported by Bartolotta: Resolved to **approve with conditions** the request for special approval in this case based on the following findings and conclusions under the Ordinance review criteria and considerations, which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.*

Findings:

- A. The proposed use **is** in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.
- B.1 The proposed use **will** be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.
- B.2 The proposed use **will not** have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.
- B.3 The proposed use **will not** result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.
- C. The proposed use **is not** located in any Special Approval use service areas identified and adopted by the Planning Commission.
- D. The proposed use **will not** impose an unreasonable burden upon public services and utilities.
- E. The proposed use **will** be in compliance with the regulations of the Zoning District in which it is proposed to be located.

Conclusions:

- A.1 The proposed use **is** of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.
- A.2 The proposed use **will** be compatible with the orderly development or use of adjacent zoning lots.
- A.3 Pedestrian circulation **will not** be hindered by the proposed use.
- A.4 Outdoor operations and display in connection with the proposed use **will not** burden and/or disrupt uses on adjacent properties.
- A.5 The natural and surrounding environment **will not** be negatively impacted by the proposed use.
- B. The proposed use **will** be within the capacity limitations of the existing or proposed public services and facilities which serve its proposed location.
- C. The proposed use **will** be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.

Conditions:

The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:

1. All comments will be addressed to the satisfaction of staff prior to final approval.
2. Staff may coordinate and finalize site plan details.
3. The Planning Commission reserves the right to modify or revoke this special approval following complaints, safety concerns, or site plan violations.
4. Parking lot landscaping requirements are reduced by 18 trees. The remaining 40 required trees are to be planted in the parking islands of the parking lots to the north and east of the proposed building.
5. Interior landscaping requirements are reduced by 18 trees and 404 shrubs. The remaining 44 required trees are to be planted within 20 ft of the southern edge of Mall Dr E.

6. A revised landscaping plan is to be submitted that meets updated landscaping requirements along with a corresponding irrigation plan.
7. 5 ft wide sidewalks shall be installed and maintained along Telegraph Rd and the south side of Mall Drive E; with the appropriate easements granted to the Township.
8. A copy of the site's shared access and maintenance agreement for Mall Dr E is submitted, and reviewed by the Township Attorney in order to ensure its' adequacy for the proposed development.
9. The outdoor storage is limited to vehicles, equipment, and machinery that are in good repair or being repaired, and materials needed for services provided by DTE personnel based at or working from the site. Outdoor storage shall not include the warehousing or storage of such items for use in other DTE service areas.
10. There shall be no bulk outdoor storage of sand, gravel, topsoil, mulch, salt, or similar materials on the site. Only smaller amounts of palletized/bagged material shall be permitted. Indoor storage of bulk materials is permitted.
11. Storage of materials in the recycling area shown on the plan shall be temporary and limited to materials used in, or related to, the services provided by DTE from the site.
12. No temporary outdoor storage shall exceed 8 ft in height.
13. Recycling area shall not be used for the storage of waste materials unless within waste material containers as defined and required in Chapter 9 of the Township Ordinance Code, with the exception of oversized objects that cannot reasonably fit into waste material containers.
14. Twenty (20) total EV charging stations on site.

***MOTION CARRIED UNANIMOUSLY BY SHOW OF HANDS
(7 - 0)***

- VII. Discussions
- VIII. All Else
- IX. Adjourn the Meeting

Chairman Ray adjourned the meeting at 5:59 p.m.

Members of the public will only be able to speak during the public comment period at the end each public comment agenda item and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and address then request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Division to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

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