

CLINTON TOWNSHIP PLANNING COMMISSION

REPORT OF MEETING

MAY 12, 2016

PRESENT: Kirkanne Moseley, Chairperson
Denise C. Trombley, Secretary
George Brumbaugh
Stephen Charron
Daniel Spatafora

ABSENT: Ron DiBartolomeo, Vice-Chairperson (Excused)
Fred Gibson (Excused)
Peter Henderson (Excused)
Joie West (Excused)

STAFF: Joseph Silbernagel, Assistant Director
DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT

Ms. Moseley called the meeting to order at 6:30 p.m.

APPROVAL OF AGENDA

Motion by Mr. Charron, supported by Mr. Spatafora, to approve the agenda as submitted. Motion carried.

PART OF LOT 887, ROSECROFT SUBDIVISION AND 0.7946 ACRE OF ADJACENT LAND BEING PART OF THE VACATED ROSECROFT SHORES SUBDIVISION (SECTION 26), GENERALLY LOCATED SOUTHWEST OF SHOOK ROAD, WEST OF HARPER AVENUE, ADDRESSED AS 23880 SHOOK ROAD

- **PROPOSED REZONING: RML MULTIPLE-FAMILY RESIDENTIAL (LOW-DENSITY) TO B-1 NEIGHBORHOOD BUSINESS**
 - **PUBLIC HEARING**
- FILE #16-6692: PETITIONED BY MS. RHONDA LAKIP-OCHOA**

Pertinent correspondence was read and entered into the record. Ms. Trombley advised that notice of this public hearing was sent by regular mail to 211 owners and/or occupants of property located within 300 feet of the land in question, with 20 of those returned as undeliverable.

Ms. Rhonda Lakip-Ochoa, petitioner, explained her plans to have a non-profit organization, The Healing Garden, at this location. She informed that they give free massages to patients suffering from cancer, multiple sclerosis, Parkinson's, Alzheimer's or other chronic illnesses. She advised that they are also open to the public in order to help fund this endeavor. They are currently located in Harrison Township but their business has grown so much, they need to go to larger grounds that have larger tranquil areas.

Motion by Mr. Charron, supported by Mr. Brumbaugh, to open the public hearing. Roll Call Vote: Ayes – Charron, Brumbaugh, Moseley, Spatafora, Trombley. Nays – None. Absent – DiBartolomeo, Gibson, Henderson, West. Motion carried.

There was no one present who wished to speak on this issue.

Motion by Mr. Brumbaugh, supported by Mr. Charron, to close the public hearing. Roll Call Vote: Ayes – Brumbaugh, Charron, Moseley, Spatafora, Trombley. Nays – None. Absent – DiBartolomeo, Gibson, Henderson, West. Motion carried.

Mr. Charron pointed out that this is an existing residential area. He inquired as to whether Ms. Lakip-Ochoa is planning on tearing down the building or using the existing buildings that are on the site.

Ms. Lakip-Ochoa replied that they plan on using the existing buildings and expanding the development. They like a "homey feel" for cancer patients, so the main building will be used to house her office, with the small adjacent buildings renovated into more structurally-sound buildings to provide massage therapy for those who are handicapped and in wheel chairs. She replied to inquiry that she does not yet have a site development plan, but is waiting to see if she receives

approval of the rezoning before having plans drawn up. Ms. Lakip-Ochoa explained that “The Healing Garden” is a 501(c)(3) non-profit organization, and she reiterated their services are offered for free for patients suffering from cancer, multiple sclerosis, Parkinson’s, Alzheimer’s or other chronic illnesses. She clarified that “Healing Touch Massage Therapy” provides the services for the non-profit organization. She informed that, instead of seeking donations to cover these costs, their massage therapy services are also open to the general public, and \$5 from each massage goes directly toward the non-profit.

Ms. Lakip-Ochoa indicated they want to turn the entire site into a garden area, with the buildings turned into massage or therapy rooms where they offer massage therapy, tai chi, yoga and meditation. She replied to inquiry that their current location is on Jefferson, between 14 and 15 Mile Roads.

Mr. Erik Heiderer, Polyarch, 44045 North Gratiot, Clinton Township, Michigan 48036, explained he just got on board with this project about a week ago so he does not yet have a sketch of the proposed plan. He indicated they will have to do an extensive parking lot renovation, as well as renovations to the house.

Mr. Spatafora stated that, according to the small sketch they have, the only access to this property is from Shook Road.

Mr. Heiderer confirmed it is at the end of the cul-de-sac, adding that there is also a property to the north that is accessed by the same street.

Mr. Spatafora acknowledged that it is premature to look at a site development plan, but he felt some type of sketch would be helpful so he could see how all of the buildings on the site relate to everything else on the site. He felt it is necessary for him to see this in order to make a decision on the request based on sound planning principles. He added that it does not have to be a fancy sketch.

Mr. Charron agreed, and added that, although the Planning Commission cannot recommend that the petitioner request a conditional rezoning, he was concerned that if this property is rezoned to B-1 and this development does not end up going it, the property could then be developed with any commercial use that falls within the B-1 zoning requirements. He stated that, while he does not necessarily disagree with this request, he felt they need some more controls in order to protect the Township down the road.

Mr. Heiderer commented that there was a vending company operating their business on this site for a long period of time prior to his client purchasing the property.

Motion by Mr. Charron, supported by Mr. Brumbaugh, with reference to File #16-6692 and application from Ms. Rhonda Lakip-Ochoa, 34345 Jefferson Avenue,

Harrison Township, Michigan 48045, concerning the proposed rezoning of part of Lot 887, Rosecroft Subdivision and 0.7946 acre of adjacent land being part of the vacated Rosecroft Shores Subdivision, generally located southwest of Shook Road, west of Harper, addressed as 23880 Shook Road (Section 26), from RML Multiple-Family Residential (Low-Density) to B-1 Neighborhood Business, that further consideration of this rezoning request be postponed for thirty days so that the petitioner has an opportunity to work with the Planning Department to discuss the possibility of a Conditional Zoning Agreement if that is what they choose to do. Roll Call Vote: Ayes – Charron, Brumbaugh, Moseley, Spatafora, Trombley. Nays – None. Absent – DiBartolomeo, Gibson, Henderson, West. Motion carried.

**3.03 ACRES OF LAND FRONTING THE EAST LINE OF GARFIELD ROAD,
NORTH OF KINGSBROOKE, ADDRESSED AS 40500 GARFIELD ROAD
(SECTION 17)**

- **PROPOSED REZONING: B-2 COMMUNITY BUSINESS TO SP-1
SPECIAL PURPOSE (NURSING HOMES)**

-- **PUBLIC HEARING**

**FILE #16-6693: PETITIONED BY MR. JOSEPH LUCIDO,
GARFIELD BUILDING NO. 1**

REPRESENTED BY MS. DAWN FOULKE, FOPOCO REAL ESTATE II

Pertinent correspondence was read and entered into the record. Ms. Trombley advised that notice of this public hearing was sent by regular mail to 184 owners and/or occupants of property located within 300 feet of the land in question, with 14 of those returned as undeliverable.

Ms. Dawn Foulke, representative, explained that their organization developed Pine Ridge of Garfield Senior Living facility. She assured they love Clinton Township and chose this community for their first memory care facility.

Mr. Joe Lucido introduced himself as the petitioner and offered to answer questions.

Ms. Foulke handed out a brochure showing an overview of their plans for this new facility.

Mr. Charron inquired as to whether the facility will be identical to that in the brochure.

Ms. Foulke replied it will be similar. She explained it will be a one-story building with a residential feel to it. They would like to center it around an atrium room, similar to a Florida Room with an indoor pond. With the skylights providing natural light, the residents will not feel as “cooped up” in the winter months with that type of environment. She stressed they are looking forward to working with

the community to have greenhouses and getting the high schools involved with this project.

Mr. Lucido stated that when Ms. Foulke presented this idea to him, he felt it would be a refreshing change on Garfield from the existing vacant office buildings and fast food restaurants.

Motion by Mr. Spatafora, supported by Mr. Charron, to open the public hearing.
Roll Call Vote: Ayes – Spatafora, Charron, Brumbaugh, Moseley, Trombley.
Nays – None. Absent – DiBartolomeo, Gibson, Henderson, West. Motion carried.

Mr. Smith, 40631 Canterbury, Clinton Township, Michigan 48038, inquired as to whether the trees on the subject property are going to be taken down.

Mr. Lucido replied affirmatively, noting the trees would have to be removed in order to make room for the development.

Mr. Smith inquired as to how many ambulances will be going in and out on a daily basis. He commented that his mother was in a similar facility and he claimed ambulances “came in and out all day”. He was with the understanding that the subject property is a wetland and that nothing can be built on it. He inquired as to where the entrance will be located.

Ms. Moseley reminded Mr. Smith that this is a public hearing to consider a rezoning request, so there is no site development plan at this point.

Mr. Smith complained that his house is five yards away from this property.

Mr. Charron inquired as to how many residents can be accommodated at the proposed facility.

Ms. Foulke replied they anticipate they will have 72 beds, but reminded that it is mainly a memory care facility so the majority of the residents will not be driving. She reiterated that this will be a one-story building.

Motion by Mr. Spatafora, supported by Mr. Charron, to close the public hearing.
Roll Call Vote: Ayes – Spatafora, Charron, Brumbaugh, Moseley, Trombley.
Nays – None. Absent – DiBartolomeo, Gibson, Henderson, West. Motion carried.

Mr. Charron inquired as to how many employees are anticipated to be at this location.

Ms. Foulke replied she anticipates approximately 25 employees, but that would be the total number spread over all of the shifts, 24 hours a day, 7 days a week.

She replied to further inquiry that they may have up to 10 employees during any one shift.

Mr. Brumbaugh requested that Ms. Foulke address Mr. Smith's concerns relating to the location of the entrance.

Ms. Foulke replied that they will be using the neighboring O'Reilly Auto Parts entrance from Garfield, and the entrance to their property will be halfway through the property. Their facility will be facing the O'Reilly facility, and it will be in the middle of the property. She assured the goal is to keep the building away from the abutting residences. She replied to further inquiry that she is not aware of any wetlands on this property.

Mr. Lucido stated when he purchased the property, they confirmed it contained no wetlands. He claimed there is a recorded reciprocal easement that the O'Reilly driveway can be used for both parcels and the extra 50 parking spaces behind O'Reilly's can be used for both properties.

Mr. Charron questioned whether there is a plan to provide a buffer of trees around the property.

Ms. Foulke replied they are willing to put in whatever landscaping is required and what is best for the community. She replied to further inquiry that they are aware there are setback requirements that have to be met.

Ms. Trombley agreed with Mr. Lucido as far as the developments along Garfield, and felt the intensity of land use would be reduced with the development of a senior living/memory care facility as opposed to another fast-food restaurant, and she felt that is important. She reminded that the vacant property will eventually be developed because everyone has a right to develop their property, and she pointed out if it was developed with a party store, it would be a much more intense use.

Mr. Smith could not see the difference, claiming that if the property is developed with a senior living/memory care facility, "food will still be cooked on the property".

Mr. Lucido reminded that there is a big difference because fast-food restaurants are open late at night, and a senior living facility, although cooking food for their residents, would not be selling it and serving it through a drive-thru window.

Ms. Moseley also commented that ambulances go wherever they are needed in any neighborhood and not just senior living facilities.

Ms. Trombley pointed out that there is a hospital on 19 Mile Road so there tends to be more ambulance traffic in that area. She felt reducing any traffic on Garfield is an improvement, so she is in favor of the proposed rezoning.

Mr. Spatafora inquired as to whether they intend to provide any independent living units where seniors can have their own vehicles.

Ms. Foulke replied they do not intend to have independent living units at this facility. She anticipated they may have some residents who drive, but she indicated they generally do not drive and do not have cars. They will have their meals at the facility so the residents will not be coming and going very often. She replied to further inquiry that all of these units will be contained in one building.

Mr. Spatafora inquired as to whether the front of the building will face Garfield or O'Reilly's Auto Parts.

Ms. Foulke replied the front of the development is proposed to face O'Reilly's.

Mr. Spatafora inquired as to whether the building will be more of a square or a rectangular design.

Ms. Foulke replied that the residential units would be toward the back, adjacent to the residential district, and the dining room, movie theater and other community areas would be located in the front, closer to Garfield.

Mr. Spatafora inquired as to whether they would be willing to consider additional landscaping and possibly the installation of a wall between this development and the abutting residential properties.

Mr. Lucido confirmed there is already a wall, which was required, and they would extend it.

Motion by Ms. Trombley, supported by Mr. Brumbaugh, with reference to File #16-6693 and application from Mr. Joseph Lucido, Garfield Building No. 1, 39999 Garfield, Clinton Township, Michigan 48038, as represented by Ms. Dawn Foulke, FOPOCO Real Estate II, LLC, 328 E. Lafayette, Romeo, Michigan 48065, concerning the proposed rezoning of 3.03 acres of land fronting the east line of Garfield, north of Kingsbrooke, addressed as 40500 Garfield Road (Section 17) from B-2 Community Business to SP-1 Special Purpose (Nursing Homes) for the stated purpose of senior housing, assisted living and memory care, that recommendation be forwarded to the Clinton Township Board for approval of the rezoning as requested. Roll Call Vote: Ayes – Trombley, Brumbaugh, Charron, Moseley, Spatafora. Nays – None. Absent – DiBartolomeo, Gibson, Henderson, West. Motion carried.

Ms. Moseley advised that the Planning Commission is a recommending body, and this recommendation will be forwarded to the Board for their meeting on Tuesday, May 31st, 2016.

2.21 ACRES (PART OF 4.32 ACRES) OF VACANT LAND, BEING PART OF LOTS 15 AND 16, SUPERVISOR'S PLAT OF OBERLIESEN SUBDIVISION, LOCATED FRONTING THE EAST LINE OF NORTH AVENUE, SOUTH OF OBERLIESEN (SECTION 2)

- **PROPOSED REZONING: R-3 ONE-FAMILY RESIDENTIAL DISTRICT TO MH MOBILE HOME**

-- **PUBLIC HEARING**

**FILE #16-6699: PETITIONED BY MR. JOHN McLAREN,
SUN COMMUNITIES, INC.**

REPRESENTED BY MR. KURT BELECK, ATWELL LLC

Pertinent correspondence was read and entered into the record. Ms. Trombley advised that notice of this public hearing was sent by regular mail to 178 owners and/or occupants of property located within 300 feet of the land in question, with 11 of those returned as undeliverable.

Mr. Mike McPherson, of Atwell LLC, and Mr. Steve Lewis, Sun Communities, Inc., were present to answer questions.

Mr. McPherson explained that this mobile home park is already in existence and they own about three acres of adjacent vacant land, with about half of that property zoned MH Mobile Home. He added there are two small areas of that parcel that are zoned R-2 One-Family Residential which they are requesting to have rezoned to MH. Mr. McPherson informed they have owned this property for over ten years, and their intent has been to expand the mobile home park by adding 17 to 19 additional units that will be developed to meet Township requirements.

Ms. Moseley noted that Mr. McPherson and Mr. Lewis are not listed as the petitioner or representative on the application. She inquired as to whether they have permission to act as representatives.

Mr. McPherson replied that he works for Atwell LLC with Mr. Beleck, who could not be present tonight.

Ms. Moseley explained that the Planning Commission has required that either the petitioner or representative listed on the application be present at the meeting. She felt if the Planning Commission is going to be consistent, they will have to request that either Mr. McLaren or Mr. Beleck be present, or that they submit some type of written documentation to designate Mr. McPherson and/or Mr. Lewis as their representatives.

Discussion took place as to whether this should be postponed to another meeting to allow the petitioners an opportunity to attend or submit paperwork designating Mr. McPherson and/or Mr. Lewis as authorized representatives.

Mr. Brumbaugh felt the presentation should be postponed; however, since the residents have come to the meeting tonight and have made a special effort to be here, he would like to hear their concerns.

It was determined that the public hearing will be open and the comments will be heard.

Motion by Mr. Brumbaugh, supported by Mr. Charron, to open the public hearing. Roll Call: Ayes – Brumbaugh, Charron, Moseley, Spatafora, Trombley. Nays – None. Absent – DiBartolomeo, Gibson, Henderson, West. Motion carried.

Mr. John Prante, 23309 Easy Street, Clinton Township, Michigan 48036, complained about the current mobile home park and its proposed expansion. He commented about all of the “headaches” the neighbors have had to endure, including the partial wall that was never completed, the light which was shot out by a bb gun, the trash, garbage and even meat thrown over the wall, and two dogs that were thrown over the wall into his yard because someone did not want them. He has experienced empty beer bottles, whiskey bottles and cigarette butts tossed over his fence, and people are cutting through his property to gain access to the park. Mr. Prante suspected those who cut through may be afraid of his dog, so they are now going to the end of his yard and hopping over the wall, but they are trampling over his bushes to do so. He recalled that when the mobile home park was developed, the abutting residents opted for the wall in lieu of a berm and landscaping, and he is thankful they did so. He commented that they have called the police, but to no avail. He claimed he knows who is throwing the trash and bottles over the wall, and the perpetrator apologized and assured he would not do it again; however, it has continued to occur. He informed that a nice couple in their neighborhood had the back of their shed vandalized with vulgarities, and that has been an embarrassment.

Mr. Ronald Heckmann, 23353 Easy Street, Clinton Township, Michigan 48036, neighbor two doors down from Mr. Prante, agreed with his neighbor that they have had problems with people cutting through their yards. He commented that the residents in the neighborhood abutting the mobile home park enjoy a very rural setting, with some of the properties totaling an acre or more. He stated they would like to keep the ambiance and felt the 6-foot wall is not adequate. He added he would like to see a taller fence, or possibly an 8-foot wall, but he emphasized he is against the rezoning request and does not want to see the park expand.

Ms. Tina Inman, long-time resident of Silver Springs (no address given), stated she bought in this park for the open fields. She explained she has children who like to play in the greenspace. There is a lot of wildlife in the area, and they do not want to see that change.

Resident at 43755 Medea, Clinton Township, Michigan 48036 for 15 years, commented that Silver Springs has always been a very good park, but lately they have experienced numerous home invasions, and he has contacted the police. He complained that the mobile home park has 110 rentals, and he claimed that out of the 110 rentals, only 8 are paying. He explained that if someone wants to sell their mobile home, the park buys it at a very cheap price then doubles the price to sell it. He noted there is only one entrance, and this expansion will include new homes and more rentals. He claimed the renters do not take care of their property, and the crime rate has risen. He expressed concern about a proposed retention pond resulting in an increase of mosquitoes in the area. He claimed there is no security in the park, and he has awoken and looked outside to see someone walking the streets, trying to open doors. He called the police, and although there is a woman driving a security car around, he did not feel she is going to stop anyone. He claimed that any trailer with a “Sun Homes” sticker on it is a rental unit. He complained the rentals are not kept up, and make the entire park look bad, and he further complained that they are not penalized like the other residents when their places are not kept up.

Ms. Diane Thomas, 23210 Oberliesen, Clinton Township, Michigan 48036, commented that she sees three beautiful deer each day in the open area. She complained that the wall was never completed around the mobile home park, and she stressed before this is approved, she and her neighbors want to know exactly what they are getting. She heard rumors that the park was going to include a “rec center”, and she inquired as to whether that is a proposed building or a playground. She inquired as to how many trailers are proposed with this expansion. She felt rentals create an entirely different “flavor” for a community compared to when there is ownership involved. She noted that the existing park falls within the Mount Clemens School District, but she is adjacent to the proposed parcel, and she is located in the L’Anse Creuse School District. She inquired as to whether the trailers adjacent to her property will be included in the L’Anse Creuse School District as well. She urged the Commission to consider the concerns of the residents and deny this request.

Ms. Tanna Flaughter, 23300 Oberliesen, Clinton Township, Michigan 48036, explained that this property backs up to her rear property line. When they purchased their home, she claimed they wanted to purchase additional land but were told it was wetlands owned by the Township and nothing would be built on it. She stressed they have an abundance of wildlife living on that property, including mallards that come each year to have their babies. They see deer and birds on a regular basis, and she did not understand how the mobile home park can build on this to expand their park because it is flooded with 1-1/2 to 2 feet of

rainwater in the spring. Ms. Flaucher pointed out that they live on a dirt road with no streetlights, so it is a very quiet neighborhood; however, if this expansion is permitted, there will be a dead-end street in the mobile home park that will end at their rear property lines, and she complained they will experience headlights shining into the back of their homes. She stressed she cannot imagine the disruption they will experience, and she felt their property values will lower substantially. She noted that they bought this house because of the natural surroundings and the wildlife, and they do not have a fenced community. Ms. Flaucher commented that there was a huge fight in the mobile home park last night and that was disruptive to their neighborhood. She questioned where the wildlife will go if this is allowed.

Mr. Raymond Flaucher, 23300 Oberliesen, Clinton Township, Michigan 48036, recalled when they moved in, the lawyers representing the mobile home park assured them that no one could build on that property because it is a wetlands. He claimed it is a bird sanctuary, complete with finches, hummingbirds, and even a rare species of duck that migrates to Canada. He complained about garbage trucks dumping on the property, and he claimed the Township has done nothing to help them. He claimed he tried purchasing the adjacent property throughout the years but was always told “no”. He reiterated that he was told it was a natural easement, and he commented that he tried to address some of the water on that property by wanting to drain it into the natural pond, but was informed that they could not touch it. He felt it is in a flood zone. He was concerned about the increased number of break-ins on their street in the last couple of years, and he also complained about the amount of cars and traffic going to the trailer park. He felt they do not adhere to the 15 mph speed limit. Mr. Flaucher stated he is a carpenter by trade and felt he could say that the mobile home park is the worst development he has seen in this area in a long time, adding that he dropped out of construction management because of this type of occurrence. He questioned why they do not offer the subject property to the abutting landowners to purchase. He would like to see this matter postponed because he is learning more information tonight, and would like time to investigate it. He is hearing tonight that the proposed addition to the park will house rental units, and added that there is no tax base in that. He felt the value of the neighboring properties will continue to go down, and he will move if he has to in order to avoid that. He questioned who will pay him for the loss on his property because of this development.

Mr. Bryan Lamky, 23291 Oberliesen, Clinton Township, Michigan 48036, stated he looked into the ordinances for mobile home parks. He added that, although he never felt Silver Springs was a bad-looking park, he discovered very poor reviews on them

Ms. Heidi Lamky, 23291 Oberliesen, Clinton Township, Michigan 48036, elaborated on some of the reviews she and her husband found for Silver Springs Mobile Home Park. She stated out of nine reviews, seven of them received two

stars or less, and she read a few of them. She showed some photographs she took when they drove through the park, and the garbage piled up in the area where they are proposing to expand the park.

Mr. Lamky complained that the fence around the park, required by ordinance, was never finished, and he questioned why they were never forced to complete it. He had observed several different types of fencing, and some sections were missing. He noted that one section of a brick wall has barbed wire on top. He calculated that, out of the 547 homes in the park, well over 100 of them are rentals, and that is not counting the proposed expansion with the rentals they want to put in that area. He noted that nearly one-quarter of the entire park is comprised of rental units. Mr. Lamky commented that, according to the Township's ordinance, the mobile home park is required to provide 200 square feet of recreation area per mobile home site. He calculated they would be required to provide over 2.5 acres based on the number of mobile home sites in the park now, and he claimed it appears as though there is less than one acre of land set aside for this purpose, so he does not feel they are meeting the ordinance requirement for recreation area.

Ms. Lamky claimed their street has a peaceful country feeling to it, and they have been living there for over ten years.

Mr. Lamky claimed they have witnessed people breaking into a home, partying, and then going back to the mobile home park.

Ms. Laura Major, 23270 Oberliesen, Clinton Township, Michigan 48036, stated she obtained a copy of a site development plan from the Township showing nine proposed sites going in on the subject property. She claimed that Eureka Drive will stop at her back property line, which means headlights from vehicles will be coming directly at the back of her house. She claimed that, according to the plans, the mobile home park will be removing approximately 250 trees and planting about 20 trees on the mobile home sites.

Mr. Terry Major, 23270 Oberliesen, Clinton Township, Michigan 48036, showed a plan of the location of the trees that are currently over 4 inches in diameter that will be cut down. He pointed out they only plan on replacing 20 of the 250 trees they are removing.

Ms. Major assumed these plans are available for anyone to view at the Planning Department. She stated she was outside recording "the quiet and the birds". She pointed out that a lot of the trees proposed to be taken down are in excellent condition and she felt they are removing them for no reason. She complained the proposed trees to be planted will do nothing to provide her any privacy but will only help them sell the new sites. Ms. Major stressed she and her husband moved to their current location because of the quietness of the area, the wildlife in the area, no fences and dirt roads. She stressed that lights are a major

concern to them, especially shining into their back yards. She admitted not being sure of the definition of a “detention pond”, nor the recreation area they are proposing. She claimed the plan indicates a “privacy fence”, which, according to the ordinance, is not permitted.

Ms. Moseley informed that tonight’s public hearing is to consider the rezoning, and if they submitted a site development plan, that will come to the Planning Commission for their consideration at a later date. She explained that the rezoning would have to be acted upon first and be approved by the Township Board before they can consider a site plan.

Ms. Major inquired as to whether there will be a public hearing on June 9th.

Ms. Moseley replied that the public hearing was held this evening, and they generally do not hold multiple public hearings. She added, however, that they usually give people the opportunity to speak if they come to the meeting, but noted they try to follow protocol.

Mr. Major inquired as to how long it will take the Planning Commission to make a decision on June 9th.

Ms. Moseley replied she does not know how long it will take the Planning Commission to make their decision, but they are a recommending body, so they would be making a recommendation to the Township Board. She added that the Township Board makes the ultimate decision as to whether this property is going to be rezoned.

Ms. Major reiterated her concern about the property values of the surrounding area if this rezoning is approved. She stated that she does not want to move, but if the rezoning occurs, she is “out of here”. She cautioned that the Township will lose residents who have lived in this community for years, possibly their entire lives.

Ms. Moseley assured they take all of that into consideration and that is why they hold the public hearing. She pointed out that they have the right to do what they want. She noted that the Master Plan for Future Land Use calls for an industrial use of that property, but the Planning Commission tries to make the best decision when making their recommendation to the Board.

Mr. Major inquired as to whether Ms. Moseley would want this proposed expansion behind her house.

Ms. Moseley replied she personally would not want it behind her house and she understood the concerns of the neighbors. She replied to further inquiry that, even though some of the Planning Commissioners are not in attendance,

Ms. Anne Napolitano, 23250 Oberliesen, Clinton Township, Michigan 48036, claimed they saved money for many years and paid cash for their home three years ago. In those three years, she has witnessed people trespassing onto her property, and although she has requested they not do so, they come from the trailer park and show no respect. She indicated she has a huge dog, but those trespassing on her property do not seem to care. She complained that the proposed retention pond will be 10 feet from her property line.

Mr. Vince Napolitano, 23250 Oberliesen, Clinton Township, Michigan 48036, complained that all of that water will be coming right back to his property line, and he will be forced to sell his house.

Ms. Napolitano was concerned about the lights, traffic and noise, and she stated she overheard a mother in the trailer park yelling and cussing at her children. She complained about no security in the park, and when she called the police to report the incident, the police wanted to know the address. Ms. Napolitano told them she had no idea but could hear the screaming coming from the park. She questioned what good a 4-foot 6-inch fence will do. She stated she owned a daycare for 15 years, and she felt this proposed rezoning is a disaster.

Mr. Napolitano complained that nothing separates the single-family homes from the trailer park, and he inquired as to the rights of the homeowners.

Ms. Moseley indicated they will have someone look at the fence to see why it has not been completed.

Mr. Robert Glenn, 23167 Oberliesen, Clinton Township, Michigan 48036, thanked the Planning Commission for taking the time to hear their comments. He showed some photos of the site. He noted he bought his home in 2000 and paid \$167,000 for it at that time, although it reached a value of \$225,000 at its highest peak. Some of the residents on his street have double lots, and it is a parklike setting. After the market crashed, the value of his home, as well as the other homes in the area, depreciated. He estimated that he is at a “break-even point” now, but because of all of the problems brought to light this evening with thefts, destruction and noise all night long from renters, he felt his property value will be depreciating even more. He acknowledged that this may be an older neighborhood, but he pointed out that it is not an “old run-down neighborhood”. He cited an incident where a neighbor of his had his hunting bows stolen out of his garage, and the thieves had come from the mobile home park. He emphasized that if this is approved, they will need more buffering than what is existing. He added that his property has been depreciating since the economy has been so bad.

Mr. Glenn did not feel the Building Codes are being upheld by the park owners, noting a home located about 25 feet from the railroad track and no fence in between. He questioned how they felt about the safety of the children in the

area. He questioned if the owners of the trailer park have to use that property to expand their development, why do they have to put up the trailer sites against the fence abutting the neighboring residential property. He felt they could include a buffer, and they would still have a lot of property. Mr. Glenn claimed there is no wall on the south side and the west side of the property. He added he would appreciate if the Planning Commissioners will take notice of these comments and concerns.

Mr. Tony Lafferty, 23158 Oberliesen, Clinton Township, Michigan 48036, was pleased to see a lot of representation tonight from Oberliesen and Easy Streets. He felt they have had a lot of people drilling core samples on the subject property. He claimed they wanted to use his yard for access purposes, and he told them they could walk through but could not drive the tractor through his yard. He went away for about five minutes and when he came back, they were driving the truck right over his property, including his sump pump line. He showed a part of the ordinance that requires a wall to be surrounding all mobile home parks.

Ms. Renee Lafferty, 23158 Oberliesen, Clinton Township, Michigan 48036, stated they had to call the police.

Mr. Lafferty noted they have a wooded area in the back of their property and they have discovered fire pits and empty beer bottles there. He added that if those trees catch on fire, the homes in the surrounding area may burn as well. He was concerned about the value of their property going down.

Ms. Lafferty felt that if this is approved, the petitioners should be held accountable for their actions.

Judith, a resident at 23180 Oberliesen, Clinton Township, Michigan 48036, stated they like their property and have had this property in their family for over 40 years. She felt the petitioners have not been accountable and continue to “slide by” without following the rules. She felt it is not the responsibility of the Planning Commission to check this out, but it should be done by the Ordinance Enforcement Officer. She stated that, regardless of whether the Commissioners are sympathetic to the complaints of the neighbors, she knows they have to follow the ordinances, but she hoped they find enough in the ordinance to protect the residents. She urged them to take the time for careful consideration before they make a decision. She stressed they do not want this in their neighborhood. She requested that if this has to be approved, they make sure there is adequate buffering between the mobile home park expansion and the abutting residential homes. She felt there should be a wall measuring a minimum of 8 feet in height, and trees should be required to be planted on the abutting property so as to buffer the view of the wall from the adjacent residents.

Ms. Rosa Plucinski, 23180 Oberliesen, Clinton Township, Michigan 48036, stated she has lived at this address for 29 years, and never had to lock her

doors. She added that they love this street, and she has had wonderful neighbors. She complained that since the park has been there, she and the neighbors have experienced thefts from their property. She has her grandsons help her pick up the empty beer bottles that are thrown onto her lawn, along with the paint drums, concrete pieces and other trash and debris. She indicated she has filed two police reports, and both times has had very understanding officers.

Judith requested whether it is possible to have one or two Planning Commissioners come out to the site and “walk it” so they have a visual going forward.

Ms. Moseley replied that she personally goes out to see each property prior to the meeting, and that is the way she makes her determination as to what she will act upon. She clarified that she does not go onto single-family properties but she does look at the site in question.

Judith pointed out that Rosa’s property is going to be affected on one entire side, yet there is only one tree depicted on the plan.

Mr. Dan Makurof, 23161 Oberliesen, Clinton Township, Michigan 48036, thanked the Planning Commission for listening to the comments and concerns of the residents. He requested that the Commission consider making their decision tonight. He added they were supposed to hear from the petitioner and/or representative tonight, and he felt they did not care and sent two people who do not have the authority to speak on this issue. He stressed the people in this area have taken notice and they are opposed to the requested rezoning.

Mr. Major stated that just past the railroad tracks on his street, it becomes a private road that he and his neighbors have to maintain.

Mr. Glenn claimed the ordinance requires a wall for all mobile home communities, and he further claimed the site plan is showing a proposed cyclone fence, which he felt is tacky.

Ms. Moseley advised that the Planning Commission has the power to state that they want additional shrubs, a wall, or both, and just because a site development plan is submitted does not mean the Planning Commission has to approve it. She indicated that tonight’s meeting is to consider the rezoning, and the site development plan would be considered at a later date if the rezoning is approved.

Mr. Flaughter expressed confusion as to why the mobile home park feels the need to expand when many of their sites are currently vacant.

Discussion took place regarding whether the public hearing should be closed, or whether public comments will be permitted at the meeting when this is brought back to the Commission.

Mr. Spatafora felt that, rather than a motion to close the public hearing, a motion to adjourn the public hearing would be in order. He clarified this would allow the Planning Commission to continue the public hearing at the meeting when this is brought back before them.

Some of the residents felt this should be denied tonight.

Ms. Moseley explained they have to allow the petitioner and/or representative to present their request. The petitioner and/or representative can come to the meeting, or the petitioner can submit something in writing designating one or both of the gentlemen present tonight to be a designated representative. If the petitioner or an official designated representative is not present at the next meeting, the Planning Commission has the ability to act on this request. She indicated the public hearing will be open at the next meeting when this is being considered.

Discussion took place regarding when this item will be back on a Planning Commission meeting.

Many of the residents inquired as to whether they will be re-notified.

Ms. Moseley explained that if a matter is postponed to a specific date, no renotification is required.

Some of the residents were upset that they would not be re-notified.

Ms. Moseley advised that anyone who spoke at the meeting tonight and gave their name and address will be renotified, and anyone who did not speak but would like to be renotified can come up and sign their name and address on a sheet of paper, and they will also be included in the renotification.

Motion by Mr. Spatafora, supported by Mr. Brumbaugh, with reference to File #15-6699 and application from Mr. John McLaren, Sun Communities, Inc., 27777 Franklin Road, Suite 200, Southfield, Michigan 48037, as represented by Mr. Kurt Beleck, Atwell LLC, Two Towne Square, Suite 700, Southfield, Michigan 48076, concerning the proposed rezoning of 2.21 acres (part of a 4.32-acre parcel) of vacant land located east of North Avenue, south of Oberliesen, from R-3 One-Family Residential to MH Mobile Home for the stated purpose of expansion of Silver Springs Mobile Home Park, that the public hearing be adjourned at this time, and the matter be postponed until the next Regular Planning Commission Meeting that is scheduled. Roll Call Vote: Ayes –

Spatafora, Brumbaugh, Charron, Moseley, Trombley. Nays – None. Absent – DiBartolomeo, Gibson, Henderson, West. Motion carried.

REPORT OF MEETING

-- APPROVAL OF THE APRIL 28TH, 2016 REPORT

Motion by Mr. Brumbaugh, supported by Mr. Charron, to approve the report of the April 28th, 2016 Planning Commission Meeting as submitted. Motion carried.

PLANNING COMMISSION SCHEDULE OF MEETINGS

-- MEETING SCHEDULED FOR THURSDAY, MAY 26TH, 2016

Mr. Silbernagel indicated there may not be a meeting on May 26th, 2016; however, he confirmed that there will be a meeting on June 9th, 2016.

ADJOURNMENT

Motion by Mr. Spatafora, supported by Mr. Brumbaugh, to adjourn the meeting. Motion carried. Meeting adjourned at 8:53 p.m. Motion carried.

Respectfully submitted,

Denise C. Trombley

Denise C. Trombley, Secretary
CLINTON TOWNSHIP PLANNING COMMISSION

ces:05/16/16

ces:05/16/16

Approved 06/09/16