

CLINTON TOWNSHIP PLANNING COMMISSION

REPORT OF MEETING

JANUARY 24TH, 2019

PRESENT: Kirkanne Moseley, Chairperson
Ronald DiBartolomeo, Vice-Chairperson
Katherine Cherry, Secretary
Joe A. Aragona
George Brumbaugh
Stephen Charron
Lawrence Opalewski, Jr.
Daniel Spatafora
Denise C. Trombley

ABSENT: None

STAFF: Bruce Thompson, AICP, 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. Opalewski supported by Mr. Spatafora, to approve the agenda as submitted. Roll Call Vote: Ayes – Opalewski, Spatafora, Aragona, Brumbaugh, Charron, Cherry, DiBartolomeo, Moseley, Trombley. Nays – None. Absent – None. Motion carried.

1.18 ACRES OF LAND FRONTING THE EAST SIDE OF HEYDENREICH, SOUTH OF HALL ROAD, ADDRESSED AS 44990 HEYDENREICH (SECTION 4)

- **SPECIAL LAND USE: A MASSAGE THERAPY FACILITY IN THE B-3 GENERAL BUSINESS DISTRICT (LUCKY THERAPEUTIC MASSAGE @ POINTE VILLAGE PROFESSIONAL BUILDING)**
 - **REQUEST FOR RECOMMENDATION FOR APPROVAL (POSTPONED FROM JANUARY 10TH, 2019)**
FILE #18-3283: PETITIONED BY MS. SHAOPING WONG, LUCKY THERAPEUTIC MASSAGE
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Ms. Moseley explained this is a continuation of a public hearing that was held on January 10th, 2019.

Ms. Cherry read a letter into the record from Mr. Joseph P. Ciaramitaro, Jr., representing the petitioner.

Ms. Shaoping Wong, petitioner, was present along with Ms. Christina Chen, 1972 Bloomfield Drive, Bloomfield Hills, Michigan 48302, interpreter.

[Stenographer's note: From this point, all of the comments as interpreted by Ms. Chen will be reflected in the minutes as being stated by Ms. Wong].

Ms. Shaoping Wong, petitioner, stated she hopes the Commission will grant her approval so she can get her license to start her business as soon as possible.

Ms. Moseley requested an update from Mr. Thompson.

Mr. Thompson stated he received a letter from Mr. Ciaramitaro and placed this on tonight's agenda at their request. He indicated he drove by the site today and found all of the signage is still in place and has not been removed. He was made aware this evening that the door is open and business is potentially still operating on that site. He added that, unfortunately, the items listed in the letter have not been addressed as requested by this Commission.

Ms. Wong claimed that, from the day her business was shut down to the present, the business is not yet open, and she only went back to do the cleaning.

Mr. Charron informed the Commission that he went to the business location today, and the first thing he saw was the orange sticker from the Building Department on the front door of the facility, indicating they cannot operate any business at that location. He opened the door to the business and went in, but no one was at the counter. He walked out because he did not want to walk around inside. He went outside and called the telephone number, and someone answered after three to five rings. He indicated to that person on the phone that he was interested in a massage and inquired as to the price. The person informed him it is \$60 per hour. He then asked the individual what he has to do if he wants a massage, and whether he has to go on line or call. He claimed he was told by the person on the phone that he can "just walk in". He felt someone is doing something in that building, and if they are not running a business, he questioned why they would respond to someone calling and tell them to "just walk in". He questioned why they would not have informed him they are not yet open for business, or possibly direct him to look on line to see when they will open. He cannot confirm that there was any business taking place at that location, emphasizing he is not a private investigator and he did not feel it was his job to walk around the entire facility. He felt from the phone call, he had a

strong indication that they are running their business from that location. He pointed out that the petitioner had previously indicated she only has one employee, so he questioned why that person would be in there all alone when she is not doing business and the door is open. Even if they were expecting some type of delivery, UPS and Amazon leave packages outside all the time. He believed they are still running their business.

Ms. Wong admitted that she was the individual who received Mr. Charron's telephone call today. She claimed she did not say he could get a massage today. She wanted to emphasize that they have not taken one massage client since they were shut down. She went back to the shop and cleaned twice, but she assured she did not take even one customer for a massage.

Mr. Opalewski stated he was surprised to see this item back on the agenda so quickly. He felt they were all of the mind that this was clearly not appropriate for them to approve last time and wanted to give the applicant a fair chance to address these issues. Even if everything in the attorney's correspondence was true, they have no proof of it. He does not see any significant change that would change his vote, and he indicated he was not going to vote to approve this at the last meeting. He explained they have a lot of discretion on Special Land Use requests, and it is a higher level for the applicant to meet. He does not feel it has been met in this case.

Ms. Moseley agreed, and added that, even without Mr. Charron's comments, she pointed out the signage is still up and that is a concern for her because that was to be removed.

Ms. Trombley thanked Mr. Charron for visiting the site today and reporting his findings. She agreed with Mr. Opalewski and stated she is not going to vote in favor of this request.

Motion by Mr. Charron, supported by Mr. DiBartolomeo, with reference to File #18-3283 and application from Ms. Shaoping Wong, Lucky Therapeutic Massage, 44990 Heydenreich Road, Clinton Township, Michigan 48038, concerning the requested Special Land Use to permit a massage therapy facility in the B-3 General Business District (Lucky Therapeutic Massage @ Pointe Village Professional Building), on part of 1.18 acres of property fronting the east line of Heydenreich, south of Hall Road (Section 4), addressed as 44940 Heydenreich Road, that this request for Special Land Use be denied. Roll Call Vote: Ayes – Charron, DiBartolomeo, Aragona, Brumbaugh, Cherry, Moseley, Opalewski, Spatafora, Trombley. Nays – None. Absent – None. Motion carried.

Ms. Moseley explained that this request for Special Land Use has been denied.

Ms. Wong insisted that she really needs this job, adding that her daughter is in college. She explained she learned how to use her hands to earn a living in

order to support her daughter. She hoped this Commission will grant her the opportunity to allow her to work.

Mr. Spatafora respectfully requested that Ms. Wong contact her attorney, and if it is important and she wants to work in the Township, he stressed they have rules, regulations and ordinances that must be followed. He pointed out they have not been followed at this time, and if Mr. Ciaramitaro is her attorney, possibly he can come with her to explain and provide the Commission with additional or different information in a way they can possibly reconsider with a different result.

Ms. Moseley agreed, stressing rules have to be followed if this is something she wants to pursue.

REPORTS OF MEETINGS

-- APPROVAL OF JANUARY 10TH, 2019 REPORT

Motion by Ms. Trombley, supported by Mr. DiBartolomeo, to approve the minutes of the January 10th, 2019 Planning Commission meeting. Roll Call Vote: Ayes – Trombley, DiBartolomeo, Aragona, Charron, Cherry, Moseley, Opalewski, Spatafora. Nays – None. Absent – None. Abstain – Brumbaugh. Motion carried.

PLANNING COMMISSION SCHEDULE OF MEETINGS

-- NEXT MEETING SCHEDULED FOR THURSDAY, FEBRUARY 14TH, 2019

Mr. Thompson stated the next Planning Commission meeting is scheduled for Thursday, February 14th, 2019. He indicated they will be considering the following two items that are anticipated to be on that agenda:

- A Conditional Rezoning and Site Development of property at 15 Mile and Miami Boulevard, which was postponed several months ago. He indicated the petitioner was to submit something from the Macomb County Department of Roads regarding potential curb cuts, and he was going to submit something from the adjacent condominium complex with regard to the shared driveway for this site. Mr. Thompson indicated documentation for both of those concerns has been received so this will be placed on the next agenda for consideration.
- Site Plan for the Italian American Cultural Society, where they are proposing an addition of another building.

ADJOURNMENT

Motion by Mr. Charron, supported by Mr. Spatafora, to adjourn the meeting.
Motion carried. Meeting adjourned at 6:46 p.m.

Respectfully submitted,

Katherine Cherry

Katherine Cherry, Secretary
CLINTON TOWNSHIP PLANNING COMMISSION

ces:01/26/19

ces:01/31/19

Approved 02/14/19