

# CLINTON TOWNSHIP PLANNING COMMISSION

## REPORT OF MEETING

JUNE 28<sup>TH</sup>, 2018

**PRESENT:** Kirkanne Moseley, Chairperson  
Denise C. Trombley, Secretary  
George Brumbaugh  
Lawrence Opalewski Jr.  
Daniel Spatafora  
Joie West

**ABSENT:** Ronald DiBartolomeo, Vice-Chairperson (Excused)  
Stephen Charron (Excused)

**STAFF:** Stephen N. Cassin, AICP  
Clinton Township Planning Consultant  
Carlisle/Wortman Associates

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

### **APPROVAL OF AGENDA**

Motion by Ms. West, supported by Mr. Spatafora, to approve the agenda as presented. Roll Call Vote: Ayes – West, Spatafora, Brumbaugh, Moseley, Opalewski, Trombley. Nays – None. Absent – DiBartolomeo, Charron. Motion carried.

**PART OF LOT 887, ROSECROFT SUBDIVISION AND 0.7946 ARE 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)**

- **SPECIAL LAND USE: A REQUEST TO CONDITIONALLY REZONE A PARCEL OF LAND CURRENTLY ZONED RML MULTIPLE-FAMILY RESIDENTIAL FOR DEVELOPMENT OF A MASSAGE THERAPY FACILITY (A HEALING GARDEN MASSAGE THERAPY), WHICH IS A B-1 NEIGHBORHOOD BUSINESS USE (POSTPONED FROM MARCH 22<sup>ND</sup>, 2018)**

-- **CONTINUED PUBLIC HEARING**

**FILE #18-6692: PETITIONED BY MS. RHONDA LAKIP-OCHOA  
REPRESENTED BY MR. ERIK HEIDERER, POLYARCH**

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Ms. Trombley noted that this is a continued public hearing that was postponed from March 22<sup>nd</sup>, 2018. She stated she has no additional correspondence to read into the record.

Mr. Erik Heiderer, of Polyarch, 44045 Gratiot Avenue, Clinton Township, Michigan 48036, explained this was before the Planning Commission in April 2018, and all items the Planning Commission requested at that time have been addressed. He stated this is on the agenda this evening to consider approval of the Site Development Plan with Conditional Rezoning to allow this development. He elaborated that they have addressed details regarding the existing house and have changed some of the out buildings to give them a rustic farm feel. They also added a fountain and garden area between the two buildings where patients can walk around and enjoy the surroundings.

Ms. Moseley explained that they have learned from the Township attorney that the proposed Conditional Rezoning contract has not yet been reviewed.

Mr. Heiderer was not aware that it had not yet been reviewed, indicating that he submitted the contract last December, prior to the Assistant Director's retirement.

Ms. Moseley apologized and stated that Mr. Dolan will need to review the document and the plan, so action on this application will have to be postponed until that review has been completed.

Ms. West inquired as to whether the Planning Commission can vote to recommend approval, contingent upon the Township attorney's review and concurrence with the Conditional Rezoning document and plan.

Mr. Heiderer replied that would be good, noting that it is just the paperwork he needs to review.

Ms. Moseley stated she does not have a problem with recommending approval contingent upon Mr. Dolan's review and approval.

Mr. Heiderer explained that he talked with Mr. Brian Girard, who has reviewed the requirement for the dumpster enclosure. After discussions with him, Mr. Girard did not feel they need a full dumpster enclosure due to the nature of the business, so he is willing to sign a waiver to allow for a more intermediate trash pick-up service. Mr. Heiderer assured they will have a designated area that will be screened, and he indicated that the agreement has not yet been signed by Mr. Girard, but it is on his desk.

Mr. Spatafora noted that the Site Development plan has a revised date of January 9<sup>th</sup>, 2018, and he inquired as to what revisions were incorporated into that plan.

Mr. Heiderer explained the legal description on the original plan was incorrect, so that has been revised to reflect an easement on the property. The first plan showed the dumpster in the front of the property. The dumpster location was

subsequently moved to the back of the property, but after talking with Mr. Brian Girard, Assistant Superintendent of the Department of Public Works, they determined it can be waived entirely because it would be difficult for trucks to maneuver around the property and the type of business does not require a dumpster, but rather an intermediate trash pick-up service. Mr. Heiderer acknowledged they have verbal approval from Mr. Girard but do not yet have a signed copy of that waiver.

Motion by Ms. West, supported by Mr. Brumbaugh, with reference to File #18-6692 and application from Ms. Rhonda Lakip-Ochoa, 34345 Jefferson Avenue, Harrison Township, Michigan 48045, as represented by Mr. Erik Heiderer, 44045 Gratiot, Clinton Township, Michigan 48036, concerning the proposed Conditional Rezoning Agreement and Site Development Plan for A Healing Garden massage therapy facility in the RML Multiple-Family Residential (Low-Density) District, which would require a B-1 Neighborhood Business zoning, to be located on 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), that recommendation be forwarded to the Clinton Township Board for approval of the Conditional Rezoning agreement and Site Development Plan as submitted, contingent upon: 1) receiving a signed executed waiver from the Department of Public Works for the dumpster; and 2) receiving approval of the Conditional Rezoning Agreement from the Township attorney; further, this recommendation is not to be forwarded to the Township Board until the conditions of this recommendation are met. Roll Call Vote: Ayes – West, Brumbaugh, Moseley, Opalewski, Spatafora, Trombley. Nays – None. Absent – DiBartolomeo, Charron. Motion carried.

Mr. Cassin informed that this will be forwarded to the Township attorney tomorrow for his review.

## **REPORT OF MEETING**

### **-- APPROVAL OF THE JUNE 14<sup>TH</sup>, 2018 REPORT**

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Motion by Ms. West, supported by Mr. Opalewski, to approve the report of the June 14<sup>th</sup>, 2018 Planning Commission meeting, as submitted. Motion carried (Mr. Spatafora abstained from voting because he was not present at that meeting).