

# CLINTON TOWNSHIP PLANNING COMMISSION

## REPORT OF MEETING

NOVEMBER 15<sup>TH</sup>, 2018

**PRESENT:** Kirkanne Moseley, Chairperson  
Ronald DiBartolomeo, Vice-Chairperson  
Denise C. Trombley, Secretary  
George Brumbaugh  
Lawrence Opalewski, Jr.  
Joie West

**ABSENT:** Stephen Charron (Excused)  
Katherine Cherry (Excused)  
Daniel Spatafora (Excused)

**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

Mr. Thompson stated he would like to request the addition of another item to tonight's agenda, to be known as Item #3, with all succeeding items on the agenda to be adjusted numerically:

3. 5.30 acres of land fronting the south side of Millar, east of Paula Court (Section 20)
  - Site Development Plan: Paula Court Estates
  - Request for Recommendation for Approval of Interior and Exterior Sidewalk WaiversFile #18-6831: Petitioned by Mr. Mark Robinson  
Represented by Mr. William Mosher, Apex Engineering

He explained that the Site Development Plan was reviewed by this Commission in July of this year. The Township Board has returned it back to the Planning Commission to consider a request for a sidewalk waiver. He requested that it be placed on tonight's agenda for discussion and possible consideration of a recommendation back to the Township Board.

Motion by Ms. West, supported by Mr. DiBartolomeo, to approve the agenda as revised, with the addition of Item #3 – Request for Recommendation for Approval of Interior and Exterior Wall Waivers for Paula Court Estates. Roll Call Vote: Ayes – West, DiBartolomeo, Brumbaugh, Moseley, Opalewski, Trombley. Nays – None. Absent – Charron, Cherry, Spatafora. Motion carried.

**1.09 ACRE OF LAND FRONTING THE EAST SIDE OF GRATIOT AVENUE,  
NORTH OF JOY BOULEVARD, ADDRESSED AS 43388 GRATIOT AVENUE  
(PRIVATE CLAIMS 141 & 626 / SECTION 12)**

- **SITE DEVELOPMENT PLAN: DETROIT TRUCK EQUIPMENT LLC**
  - **REQUEST FOR RECOMMENDATION FOR APPROVAL  
FILE #18-6813A: PETITIONED BY MR. JESSE BERGER,  
CROMWELL INVESTMENT, INC.  
REPRESENTED BY MS. STACY CERGET, FVPM**
- 

Ms. Trombley read the letter into the record dated October 29<sup>th</sup>, 2018 from the Director of the Department of Planning and Community Development. She advised that notice of this item on tonight's agenda was sent to 282 property owners located within 300 feet of the property in question, with 11 of those returned as undeliverable.

Mr. Thompson stated he would like to make a correction and apologized to the Commission, noting in his letter read by the Secretary, the request for a 6-foot-high masonry wall is incorrect. He explained he was mistaken in thinking this parcel included property which this Commission recently reviewed and recommended for rezoning. He clarified that L-shaped property, which is situated behind the front building property, is separate, and this site development plan only involves the 1-acre parcel which does not abut the mobile home park. He met with the petitioner today to discuss it and confirmed it is the front parcel only that is being proposed for this site development. Mr. Thompson explained the petitioner has planted a lot of evergreens along the back end of the parking lot, which is part of an overall plan he has to add plantings throughout the site, including along the north side and the east side. He assured they will continue to work with this property owner to make sure the overall property is green and has as little effect as possible on the neighborhood to the east. He stated the petitioner was very gracious and he appreciated the time he spent with him.

Mr. Jesse Berger, 43388 Gratiot, Clinton Township, Michigan 48036, assured he is committed to be a good neighbor to the residents in the trailer park. He explained there are four trailers close to the parking lot property, and he stated he will work closely with the trailer park property. He pointed out the property he owns to the south abuts Keystone Boulevard. He noted that he recently did some clean-up for some of the elderly residents in the trailer park by pulling weeds and cleaning up their side. He stated they will do the same here, possibly

planting some arborvitaes on the residents' side, so they can look at green and not a chain-link fence. He reiterated they will be a good neighbor.

Mr. Phillip Ewer, 23878 N. Keystone, Clinton Township, Michigan 48036, questioned where they are going to access off of Gratiot.

Mr. Berger explained the location of the subject property, which is north of the Kenworth property.

Mr. Ewer questioned how this affects his trailer park.

Mr. Berger responded that Keystone is entered next to Doug's Muffler, and the very next driveway is the location of Kenworth Truck Dealership, and north of that, which was Kal's Car Lot, is the location of this site. He pointed out it is north of Keystone and does not abut it.

Considerable discussion took place as to the exact location of this property in relation to Mr. Ewer's property.

Mr. Berger stated he owns the land that the former Kenworth Dealership is on, which is comprised of two parcels. He explained that since Mr. Ewer's property does not abut the subject parcel, it should not affect him.

Mr. Ewer inquired as to whether there is going to be service done on vehicles at this location.

Mr. Berger explained the purpose of the 1,080-square-foot building on the 1.09-acre parcel is small, and it is a private office where he can do some paperwork and has a garage spot to park a snow plow. He also owns the adjacent property so he has about 6 or 7 acres of property to plow in the winter.

Mr. Ewer reiterated his question as to what "service" means on the notice he received in the mail about tonight's meeting.

Mr. Berger assured there will be no automotive repair servicing taking place on that property. He explained there is service going on at the Kenworth dealership, but not on this property. He clarified Detroit Truck Equipment is the name of the business.

Mr. Ewer claimed that, to him, "service" means they are going to fuel trucks and change oils rather than park. He requested an explanation as to the reference made with regard to "service".

Mr. Thompson understood Mr. Ewer's concern and clarified that tonight they are looking at a proposal for just a portion of the overall property. The business that will be owning these properties is a truck sales and service company, but that is

not what is going to occur on this 1-acre parcel of property. He stressed that the 1-acre parcel is to be used for an office building for their company, and the sales and service occurs on the south side of the larger parcel, although that is not being requested this evening because it is a use permitted on that property. He wants to update the 1-acre piece to create an office building and some storage.

Mr. Ewer questioned why Mr. Berger does not expand the building he already has.

Mr. Berger explained his office is not there anymore. He owns the land, but after 21 years of running that business, he sold that business as well as his other businesses. Because he sold the business, he cannot have his office at that location; therefore, he is proposing an office on the subject property, claiming it will be a place for him to “have a desk and a coffee maker”. He stated that Marsha is the trailer park manager, and if there are any issues between Kenworth and the trailer park, he advised that if they contact Marsha, she knows how to get in touch with him and will do so immediately. He cited a problem experienced by a trailer park resident who contacted Marsha, and she in turn contacted him. Mr. Berger stated they rectified the problem immediately. He replied that problem dealt with the clean-up of some soil erosion along the joint boundary of their properties, and the situation was taken care of.

Ms. Moseley reiterated there will be no repair and no vehicle service on that property.

Mr. Ewer complained that the notification he received from the Township referred to “sales and service”.

Ms. Moseley replied that is how he interpreted the notification, but she clarified it will not be a location for repair and service but will only serve as an office building for his company so he has a place to do his paperwork.

Mr. Ewer felt the notification should have been more specific as to the use. He stated he has no problem with an office, although they just received approval a couple of months ago for the adjacent property. He expressed concern about the communication as to what is going to occur on the property.

Ms. Moseley stated they will take that into consideration and the next time they send out correspondence, they will make it as clear as possible as to the proposed use of the property.

Mr. Ewer questioned whether the proposed site will have its own driveway, or whether they will be using the Kenworth driveway.

Mr. Berger replied he has a driveway for the car lot.

Mr. Thompson stated it is not Mr. Ewer's fault for reading what was on the notification he received, and he indicated it is his fault, assuring he will have to be more diligent in the description on the notices going out to the citizens in the area. He apologized, explaining he is new to the Township and he has not had a lot of experience dealing with the policies and procedures of the Planning Department, so he appreciated Mr. Ewer letting him know of his concern. He promised that he will do a much better job making sure those descriptions going out are more accurate.

Mr. Ewer appreciated Mr. Thompson's comments, and emphasized that he has no problem with an office building at this location.

Motion by Mr. Opalewski, supported by Ms. West, with reference to File #18-6813A and application from Mr. Jesse Berger, Cromwell Investment, Inc., 26519 25 Mile Road, Chesterfield, Michigan 48051, as represented by Ms. Stacy Cerget, 45138 Cass Avenue, Utica, Michigan 48317, concerning a Site Development Plan for Detroit Truck Equipment LLC to be located on 1.09 acre of land fronting the east side of Gratiot Avenue, north of Joy Boulevard, addressed as 43388 Gratiot Avenue (Private Claim 141 & 626 / Section 12), that, in consideration of grant of variance by the Clinton Township Board of Appeals, recommendation be forwarded to the Clinton Township Board for approval of the Site Development Plan as submitted. Roll Call Vote: Ayes – Opalewski, West, Brumbaugh, DiBartolomeo, Moseley, Trombley. Nays – None. Absent – Charron, Cherry, Spatafora. Motion carried.

Ms. Moseley explained that the Planning Commission is a recommending body and this recommendation will be forwarded to the Clinton Township Board for their final consideration. She advised that 24 copies of the Site Development Plan and Landscaping Plans will need to be received by the Planning Department no later than Monday, November 26<sup>th</sup>, 2018 in order to be placed on the Township Board Meeting of December 10<sup>th</sup>, 2018.

**5.30 ACRES OF LAND FRONTING THE SOUTH SIDE OF MILLAR, EAST OF PAULA COURT (SECTION 20)**

- **SITE DEVELOPMENT PLAN: PAULA COURT ESTATES**
  - **REQUEST FOR RECOMMENDATION FOR APPROVAL OF INTERIOR AND EXTERIOR SIDEWALK WAIVERS**
- FILE #18-6831: PETITIONED BY MR. MARK ROBINSON  
REPRESENTED BY MR. WILLIAM MOSHER, APEX ENGINEERING**
- 

Ms. Trombley read the letter into the record from the Director of the Department of Planning and Community Development.

Mr. Thompson indicated he does not have to add much more to the letter that was read into the record, noting they are all familiar with the development that the Township Board approved. The item for consideration is whether the Planning Commission would consider a waiver of the sidewalk along the Millar Road side of the site, which is a public road, and also whether they would look at a waiver of the sidewalks along the private road, Paula Court, which will be developed as part of the overall site condominium project. The Board is looking for a recommendation from this Commission as to whether they feel either or both sidewalks should be waived, or whether neither should be waived.

Mr. DiBartolomeo questioned whether Mr. Mosher, the engineer from Apex Engineering, is ok with putting sidewalks in. He read the minutes from the Township Board.

Mr. Thompson replied he was not at that Township Board meeting and does not have any insight into that. He replied that he has had no communication with the engineer, but indicated they had a discussion with the developers and there are some other issues with the site. He felt the developer and his engineer are comfortable with not having interior sidewalks since it is a private road. He stated as a planner, he felt any opportunity the Township Board has to get public sidewalks on public roads, that is a good opportunity. He noted that, even if it is the only one in the area, they need to start somewhere. He reiterated he cannot speak to what the developer or his engineer want, but they had discussion that their expectation is to not have to provide sidewalks along the interior road. Mr. Thompson stated his recommendation would be to make sure there are sidewalks along Millar at a minimum. As far as a waiver of the interior sidewalks, he stated he does not have enough experience with this Commission and what they previously approved, so he has to defer back on that recommendation.

Mr. Brumbaugh could not see why sidewalk waivers would be granted, even on a private road. He commented that his life experience tells him not having sidewalks is a danger to the people who live in the area. He cited the problems for pedestrians and bicyclists, and mentioned a very large residential community in Florida where there are no sidewalks, yet everyone is walking their dogs and driving their golf carts, and it has become a dangerous situation. He stated he lives in a subdivision with private roads, but he is thankful they have sidewalks. He felt even if this proposed development has ten houses, they should still have sidewalks, and not putting them in is an attempt to try to save money. He concluded that wherever they can have sidewalks in Clinton Township, they are better off.

Ms. Moseley agreed with Mr. Brumbaugh.

Ms. West stated she agrees with Mr. Brumbaugh as well. She stated she lives in a subdivision where sidewalks were not originally put in, and she recalled an incident prior to the installation of their sidewalks where her husband, while

walking their dog, had to jump to avoid getting hit by a motorist. She did not feel they should grant a waiver of the sidewalks.

Motion by Mr. Brumbaugh, supported by Mr. DiBartolomeo, with reference to File #18-6831 and application from Mr. Mark Robinson, 37351 Willow Lane, Clinton Township, Michigan 48036, as represented by Mr. William Mosher, APEX Engineering Werks, LLC, 2959 Rambling Way, Bloomfield, Michigan 48302, concerning the proposed Site Development Plan for Paula Court Estates, to be located on 5.30 acres of land fronting the south line of Millar, and east of Paula Court (Section 20), that recommendation be forwarded to the Clinton Township Board for denial of the request to waive the sidewalk requirement for both the interior sidewalks as well as the sidewalks along the public right-of-way on Millar. Roll Call Vote: Ayes – Brumbaugh, DiBartolomeo, Moseley, Opalewski, West, Trombley. Nays – None. Absent – Charron, Cherry, Spatafora. Motion carried.

Mr. Thompson advised that this recommendation will be forwarded to the Township Board, and it will most likely be placed on their agenda for December 10<sup>th</sup>, 2018.

## **REPORTS OF MEETINGS**

### **-- APPROVAL OF OCTOBER 25<sup>TH</sup>, 2018 REPORT**

Motion by Ms. West, supported by Mr. Opalewski, to approve the report of the Planning Commission Meeting of October 25<sup>th</sup>, 2018, as submitted. Roll Call Vote: Ayes – West, Opalewski, Brumbaugh, DiBartolomeo, Moseley, Trombley. Nays – None. Absent – Charron, Cherry, Spatafora. Motion carried.

## **PLANNING COMMISSION SCHEDULE OF MEETINGS**

### **-- NEXT MEETING SCHEDULED FOR THURSDAY, DECEMBER 13<sup>TH</sup>, 2018**

Mr. Thompson stated the next Planning Commission meeting is scheduled for Thursday, December 13<sup>th</sup>, 2018. He indicated there will only be one item on the agenda, and that will be a Site Plan for the SMART Macomb Terminal on 15 Mile Road. He explained they are making major investments to all three of their terminal facilities, with their largest site being here in Clinton Township.

## **PLANNING COMMISSION SCHEDULE OF MEETINGS**

### **-- APPROVAL OF 2019 PLANNING COMMISSION SCHEDULE**

Mr. DiBartolomeo questioned whether the Planning Commission meetings for November and December 2019 are supposed to be on the same night as the Board of Appeals meetings for those months.

Mr. Thompson replied those dates should be corrected to read November 14<sup>th</sup> and December 12<sup>th</sup>.

## **ADJOURNMENT**

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Motion by Ms. West, supported by Mr. Opalewski, to adjourn the meeting.  
Motion carried. Meeting adjourned at 7:04 p.m.

Respectfully submitted,

*Denise C. Trombley*

Denise C. Trombley, Secretary

CLINTON TOWNSHIP PLANNING COMMISSION

ces:11/19/18

ces:11/20/18

*Approved 12/13/18*