

MINUTES
CASCO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
TUESDAY, NOVEMBER 20, 2018

Present Members: Joe Stevens, Cynthia Goulston, Jim Edwards, Keith Teltow, Stan Pankiewicz, Kyle Robertson.

Members Absent: Gerald Keller.

Also present: Planner Joe Tangari, Wayne Baumgarten, Gary Gendernalik, John Monte, Christopher Briggs, Jim Endres, Wally Frontera, Jason Pirosko.

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Teltow.

2. THE PLEDGE TO THE FLAG

The Pledge to the flag was recited.

3. APPROVAL OF MINUTES

A motion was made by Member Goulston, supported by Member Edwards to approve the minutes of October 16, 2018 as presented.

Ayes: Members Stevens, Edwards, Teltow, Pankiewicz, Robertson, Goulston.

Nays: None.

Abstain: None.

Motion carried.

4. APPROVAL OF THE AGENDA

A motion was made by Member Stevens, supported by Member Edwards in order to expedite the site plan reviews to move Unfinished Business and New Business ahead of the Public Hearing.

Ayes: Members Stevens, Edwards, Teltow, Pankiewicz, Robertson, Goulston.

Nays: None.

Abstain: None.

Motion carried.

5. COMMUNICATIONS

None.

6. DISCUSSION FROM THE FLOOR

Christopher Briggs from Century Trucking, an asset-based carrier located on Marine City Highway stated they have 40 trailers, 35 trucks and will be starting a truck driving school. Recently they paved additional areas of the parking lot. They also have a classroom in the building currently. Site plan has been approved from the Drain Commission.

Chairman Teltow asked for more clarification as to what their future plans were. They will be starting a school for students to obtain Class A, CDL's through Michigan Works. This is a 6-week truck driving school with instructors and road tests, and applicants ultimately will be given their licenses.

Member Stevens invited him to the Township Board meeting second Tuesday of December where there is public access television and would be great press for their school.

They are attempting to generate more truck driving jobs and this will qualify the drivers. Mr. Briggs has given Supervisor Ruemenapp the site plan and told to come to this meeting to advise the Planning Commission of the nature of the change of the business. They hope to start with five students at a time initially. Mr. Briggs indicated most companies require 6-12 months experience with CDL's to be hired. Larger companies won't take on anyone without experience for insurance purposes. They will be teaching people to drive the truck, hiring some of them or they can move on to other employment. Plan to start training in January 2019, awaiting instructor certification and approval of applications from the State, expecting that to take 4-8 weeks. They have a maintenance bay, storage facility and a conference room. Fire marshal has come to inspect to make sure facilities are appropriate. School hours TBD, 6 hours a day. Minimum requirements are set by the State for training, 120 hours training expected.

Planner Tangari indicated that the site is zoned industrial and the use is consistent with the zoning. This would be an accessory to the overall use.

Chairman Teltow asked Mr. Briggs to put his presentation into letter form and send it to the township. Mr. Briggs brought a letter for the Planning Commission tonight at the request of Supervisor Ruemenapp.

7. UNFINISHED BUSINESS

a. REVISED SITE PLAN REVIEW – ROBERT KEHRIG, 9222 MARINE CITY HIGHWAY

Gary Gendernalik indicated that the site plan has been revised to put in a handicap lavatory and moved the dumpster. He's requesting the site plan be approved as submitted because it's in compliance with the ordinance and consistent with other businesses in the neighborhood regarding hard surface versus soft surface.

Planner Tangari indicated most of the site plan is the same with a couple changes. They brought the number of parking spaces down to the required number, left in note about appropriateness of materials stored in the back and included standards for parking surfaces. Lavatory accessibility and distance between work site and bathroom is 500 feet. Furthest point on this site would be about 250 feet. There is an issue with ADA compliance with these work spaces to the north. People may not be there all day. They don't have a paved path to the lavatory and in order to be ADA compliant they must have a 5' path with appropriate slope. They must have a sidewalk with entrances to each space requiring minimal paving. Discussion held regarding waiving requirements of hard surface for storage parking areas.

Planner Tangari indicated Christine Anderson contacted him today and made the applicant aware that there are partitioned space in the northern building different than what's reflected on the plan and requested applicant indicate what the purpose of the partitions are and request that the applicant's representative speak to that.

Gary Gendernalik indicated Ultimate Landscaping rents from Rob Kehrig. Mr. Gendernalik stated he's been in the building several times, but not within the last 30 days, and there were no partitions when he was in the building, but machinery, and is unaware of any partitions added in the last 30 days. Mr. Gendernalik stated that warehousing and factories require partitions, but that doesn't change whether requirements are met under the site plan and doesn't control approval. Mr. Gendernalik stated that if there's code violations that that's separate and apart from site plan approval, and that if Rob Kehrig wants to partition areas for different uses it's still storage.

Member Edwards asked the applicant to talk about the sidewalk and where the parking is. Planner Tangari indicated handicap spaces are on concrete like they should be, other parking spaces on gravel were pointed out. Exact wording of the Code can be found at 13.05 (B)(9), "The surface of the parking lot, including drives and aisles, excepting the buffer strips, shall be constructed of a concrete or bituminous concrete surfacing." ADA requirements are a part of this review.

Mr. Gendernalik indicated there are no customers that go in and out of there. The people will be coming in the morning and back at the end of the day, eight trucks and a six-day operation. Trucks are lined up with snow plows and in the summer trailers with lawn equipment.

Chairman Teltow indicated they would need a sidewalk from work areas to the lavatories consistent with ADA requirements.

John Monte stated he contacted two architectural firms and both sent him the same sheet that was turned in with everything identified, building not occupied by employees. It is a storage facility and there is no requirement to have a bathroom on site. Applicant wants a bathroom anyway, and he wouldn't object to put in a sidewalk consistent with ADA requirements and they will do that.

Planner Tangari stated taking care of the ADA issue would be smart if they are partitioning off the building since there may be plans for additional renters.

John Monte stated the building has not changed use, but that Ultimate Landscaping is storing some of his equipment there. John Monte stated this is not retail use, such as a hardware or lumber yard. Nobody is coming to this site to purchase anything. It is like a contractor's storage yard.

Chairman Teltow stated that part of the commercial establishment is storage. This is a commercial use on industrial zone. That area is part of a commercial establishment, that the business is located across the road in Ira Township, but it's part of a commercial space.

Gary Gendernalik indicating regarding the gravel lot, if trucks pick up any gravel it's going to be off the trucks by the time it hits the road after driving on the paved parking lot. No one's coming out of this site with gravel on their tires.

Planner Tangari indicated the ordinance states drive aisles and spaces under the ordinance need to be paved. John Monte indicated that would mean all of it would have to be paved.

Member Stevens stated there's no requirement for paving a contractor's yard, under Section 16.10.

Member Edwards indicated he would be satisfied if the lavatory access is ADA compliant and has no concern about the partitioning of the building. Doesn't believe there's a need for a special land use since it's a contractor's yard.

Member Stevens stated the landscaper is using it as storage.

Planner Tangari indicated as long as the landscaper is using the property as presented, it would be a contractor's yard. Contractor yard is also inside because storage of trucks is inside and so are the bins. Contractor's yards under 16.10 has no surfacing requirements, screening requirements, but they're surrounded by industrial zoned property so there's no requirement either.

Member Stevens stated there are other facilities that have gravel for contractor yards, don't see why we would require anything else in this instance.

Planner Tangari would not recommend a special land use as a course of action, there is no public visiting of the facility. With retail use you have to have a public visitation facility to make purchases. This is a storage and contract yard type use here, provided the property is being used as represented. If it's not being used for that purpose they would have to come back. Planner Tangari is relaying his conversation with the attorney and would like a site plan with the partitions in that building, not a new sheet, just like to see what the space in there is and how it's partitioned, if it's separated into different rooms. The attorney would like to see how that building is divided up and trying to be prepared in the future if something else changes. A floor plan is a required element of a site plan. These buildings when approved didn't have partitions stated.

Gary Gendernalik indicated he would call Christine Anderson and talk to her about it.

Approve motion, include requirement for them to put sidewalk for ADA compliance and need to make a finding that they can have the gravel lot for such and such reasons. If they put a big genuine parking lot later on, this is why we did this on the site. Also a floor plan showing, pretty generalized floor plan, showing how building is divided into different spaces if it's been separated into rooms.

A motion was made by Member Stevens, supported by Member Goulston to approve the Revised Site Plan of Robert Kehrig, 9222 Marine City Highway subject to the paving of the sidewalk for handicap accessibility to the buildings, and also a note that the Planning Commission determined that the gravel lot is permissible since the building has been determined to be a contractor's yard, as well as approval subject to submitting a generalized floor plan for the partitions to be included in the final site plan.

Ayes: Members Stevens, Edwards, Teltow, Pankiewicz, Robertson, Goulston.

Nays: None.

Abstain: None.

Motion carried.

Four stamping sets to be provided by the engineer to Planner Tangari.

8. NEW BUSINESS

- a. SITE PLAN REVIEW – E.M.C. LAND DEVELOPMENT, LLC., MARINE CITY HIGHWAY
Wally Frontera, E.M.C. Land Development, would like to build a shop for their existing company, currently renting in Chesterfield.

Planner Tangari stated this is a fairly new property zoned industrial in the bottom half and ag in the upper half. They won't be touching ag. Property is surrounded by industrial on east and west. There is 14.5 acres in total size. This is a trucking company office, wash bay and shop. The applicant is developing only 3.8 acres. In addition to the building, large gravel area for storing their truck trailers and heavy equipment, 30 smaller spaces for boat and trailer parking, as well as bins for salt, mulch, sand, etc. They are meeting all setbacks and building heights. As for parking, industrial use requirements discussed. Planner wants them to go into detail about how many people are working on site at any one time. There is a fair amount of landscaping not quite meeting the ordinance. Proposed site lighting is building mounted. This needs approval from SCC Drain Commission. Dumpster enclosure looks fine and want clarification as to how the space will be utilized by the company or renting them out, how will the shop space be used. There is screening of open storage yards.

Mr. Frontera stated when setting up the site plan that they projected what they would do in 5-10 years. Bins would be for road gravel, sand and gravel company. If they are pulling millings off a job site, it would be stored there for their own use. The company hauls gravel and are in road construction, an aggregate hauler. No retail sales off the site. They currently own three trucks, but run owner/operators, so there are up to 10 trucks. Two park with us at the current facility and the balance park at their homes or other places. Additional parking in back was for lease to rent parking spots to other truckers on a monthly basis. They would rather not have boats or RV's, but want to have options. They have four employees, one of our guys works out of the White Lake area and three at this facility at a time, leaving in the morning, coming back at night, with two guys there at night doing basic maintenance in the shop. They will be doing service work on site on the trucks.

Member Stevens inquired about an oil separation unit which is not indicated.

Planner Tangari stated they need a plan for the waste.

Jason Pirosko, architect, indicated they plan to build the office as part of the first phase and second phase is a truck wash as an additional business. They are seeking approval for the type of buildings they want, and the one built now would be a shop and office. Office on the side, nothing too big, break room, bathroom, storage space for the shop and three bays. Truck wash would be hand sprayers and storage space for the truck wash, barrels of soap.

Chairman Teltow stated the front façade of the building must meet the Code, which is not what's reflected on the proposed elevations.

Mr. Frontera stated there are a lot of steel structured buildings up and down 26 Mile Road. The building is situated with the large doors facing the road for drive thru bays. The property wasn't wide enough to make the offices in the front to brick it. It's designed as a pole barn style building.

Chairman Teltow stated they must follow the Code and enhance the front building with façade with brick, also the requirement of type C buffer, 3' berm with trees. Mr. Frontera indicated that won't be a problem and that the bins can be designated for personal use and not for commercial. Chairman Teltow recommend the applicant talk to the Drain Commission with their drainage plan. Discussion held regarding asphalt paving versus concrete, as well as the trash enclosure location. Chairman Teltow also asked they check the dimensions, and make sure they're meeting setback requirements.

Mr. Pirosko indicated they would move the dumpster location by the proposed fuel center. There is one 1,000 gallon containment tank above ground, cement slab, electricity cut off, diesel fuel.

Planner Tangari stated if they're going to have rentals they will probably need someone onsite to manage the rentals which changes the character of the plan.

Chairman Teltow stated a need for a letter stated what's going to happen on site.

Mr. Frontera stated their current plan is to lease spots for truckers which would come in daily, park their car and take their truck and return in the evening.

Planner Tangari stated truckers parking their truck there is a principal use, but boat storage is beyond that. Mr. Frontera indicated he would take the boat storage out of the site plan.

Member Stevens stated if you decide to change use and start rental for boats you will have to come back and make those changes.

Chairman Teltow requested a lighting audit, wants to know specifics on the lighting. Discussion held regarding approval and Member Stevens explained the options are to ask the applicant if they would like to table this, approve the site plan with the items subject to the planner's review or deny it.

Member Edwards stated there are many modifications required with the plan as it exists. Applicant requested this to be tabled to modify their site plan. Chairman Teltow stated he's not comfortable giving administrative approval, but would like to see a proper final site plan prior to approval.

Planner Tangari stated it may be helpful to outline the list of conditions.

Member Stevens outlined items that need to be addressed such as boat storage off the site plan, dumpster moved from rear of property closer to the building, masonry façade to meet township zoning ordinance, lighting audit, dimensions of east to west, screening on both sides, changing the label of the storage bins. There's a 20' greenbelt on each side of the property required. There should be a list of landscaping materials indicated on the site plan as well.

A motion was made by Member Pankiewicz, supported by Member Goulston to table the Site Plan Review of E.M.C. Land Development, LLC, Marine City Highway to the December meeting in order to review an updated site plan.

Ayes: Members Stevens, Edwards, Teltow, Pankiewicz, Robertson, Goulston.

Nays: None.

Abstain: None.

Motion carried.

Planner Tangari requested that the revisions be submitted to the township no later than November 29th, with a pdf to him, with 12 copies.

9. PUBLIC HEARING

a. ZONING TEXT AMENDMENTS

A motion was made by Member Pankiewicz, supported by Member Edwards to open the Public Hearing at 8:39 p.m.

Ayes: Members Stevens, Edwards, Teltow, Pankiewicz, Robertson, Goulston.

Nays: None.

Abstain: None.

Motion carried.

Wayne Baumgarten indicated he had no comments.

Member Pankiewicz indicated he's been absent and asked for a brief synopsis of what is being considered. Planner Tangari gave a brief outline of each section being considered.

A motion was made by Member Goulston, supported by Member Edwards to close the Public Hearing at 8:43 p.m.

Ayes: Members Stevens, Edwards, Teltow, Pankiewicz, Robertson, Goulston.

Nays: None.

Abstain: None.

Motion carried.

A motion was made by Member Edwards, supported by Member Robertson to recommend approval of Ordinance 30-95 and send it to Casco Township Board for approval as follows:

Section 1. Section 5.03

Amend Ordinance 30, Section 50.03 Uses Permitted On Special Approval to delete Subsections A and B and renumber subsequent subsections accordingly.

Section 2. Section 6.03

Amend Ordinance 30, Section 6.03 Uses Permitted On Special Approval, Subsections A and B to read as follows:

A. Two-family dwellings subject to the following:

1. The minimum lot size shall be three (3) acres and the minimum lot width shall be 200 feet. All other setback, lot coverage, height limit, and minimum floor area requirements of the R-1 districts shall be met.

2. The character and quality of construction shall be designed to blend with the existing single-family homes in the immediate area.
3. A minimum of two off-street parking spaces shall be provided for each dwelling unit and no parking space shall be located in any required or non-required front yard.
4. An approved septic system permit from the St. Clair County Health Department shall be submitted for each dwelling unit where sanitary sewers are not available.
- B. Multiple-family dwellings, subject to the following:
 1. The minimum site size shall be five acres with a minimum lot width of 200 feet.
 2. Minimum yard requirements shall be as follows:
Front – 170'; Each side – 25'; Rear – 40'; Minimum spacing between buildings – 40'.
 3. Minimum land area per dwelling unit, in square feet, shall be determined by the number of bedrooms, as follows:

	With Sanitary Sewers	Without Sanitary Sewers
Efficiency & 1 Bedroom Units	3,000	3,600
2- Bedroom Units	3,500	4,400
3 or More Bedrooms	4,300	5,400

4. Off-street parking shall be provided in the ratio of two spaces for each dwelling unit plus ½ space per unit for visitor parking if the average number of bedrooms per unit is two or more. Where parking areas are arranged so that headlights would project onto adjoining properties, the Planning Commission may require a masonry screen wall, obscuring wood fence, landscaped greenbelt, or other type suitable screening to protect adjoining residential properties.
5. No off-street parking shall occupy the first 25 feet of the required front yard, measured from the proposed right-of-way line.
6. Multiple family dwellings shall not exceed 2 ½ stories or 35 feet in height.
7. All signs shall comply with Section 13.08

Section 3. Section 8.03

Amend Ordinance 30, Section 8.03, Subsection A.4., to read as follows:

4. All trash and outdoor storage areas shall be screened from view by a six-foot high enclosure approved by the Planning Commission. Trash enclosures shall meet the standards of Section 13.30. Old vehicles or parts such as tires, mufflers, pipes, and the like, shall be kept inside the enclosure and shall not be permitted to accumulate for periods longer than one week unless stored within the building.

Section 4. Section 8.03

Amend Ordinance 30, Section 8.03, Subsection L.4., to read as follows:

4. Exterior trash receptacles meeting the standards of Section 13.30 shall be provided.

Section 5. Section 8.08

Amend Ordinance 30, Section 8.08, Subsection A.3., to read as follows:

3. All trash storage areas shall be screened from view in accordance with Section 13.30. The trash containers shall be emptied at least once each week.

Section 6. Section 8.08

Amend Ordinance 30, Section 8.08, Subsection D.4., to read as follows:

4. Exterior trash receptacles meeting the standards of Section 13.30 shall be provided.

Section 7. Section 8.08

Amend Ordinance 30, Section 8.08, Subsection E.4., to read as follows:

4. Exterior trash receptacles meeting the standards to Section 13.30 shall be provided.

Section 8. Section 10.02

Amend Ordinance 30, Section 10.02, Subsection C, to read as follows:

- C. Truck Terminals, provided that the site shall have direct access to an all-seasons, paved major thoroughfare.

Section 9. Section 10.03

Amend Ordinance 30, Section 10.03, Subsection A, to add new item 9 as follows:

- 9) The site shall have direct access to an all-seasons, paved major thoroughfare.

Section 10. Section 10.03

Amend Ordinance 30, Section 10.03, Subsection B.2., to read as follows:

2. The site shall have direct access to an all-seasons, paved major thoroughfare.

Section 11. Section 10.03

Amend Ordinance 30, Section 10.03, Subsection D.8., to read as follows:

2. All access to and from the site shall be directly onto an all-seasons, paved major thoroughfare.

Section 12. Section 10.03

Amend Ordinance 30, Section 10.03, Subsection E.2., to read as follows:

2. The site shall have direct access to an all-seasons, paved major thoroughfare.

Section 13. Section 10.03

Amend Ordinance 30, Section 10.03, Subsection K.21., to read as follows:

21. The Applicant shall provide a study of the impact that truck traffic associated with the facility will have on public roadways, including a description of the volume of truck traffic that will be generated, with truck traffic estimates during peak and off-peak times; the type and quantity of incoming vehicles by seasons; the trucks' projected routes; the current condition of affected roadways and the impact that truck traffic is projected to have on their condition; and a plan for mitigating the impacts of truck traffic on area roadways. Because of the level of truck traffic associated with this use, the site shall have direct access to an all-seasons, paved major thoroughfare.

Section 14. Section 12.02

Amend Ordinance 30, Section 12.02, to re-number the section as Section 12.03.

Section 15. Section 12.03

Amend Ordinance 30, Section 12.03, to re-number the section as Section 12.02.

Section 16. Section 13.17

Amend Ordinance 30, Section 13.17, Subsection 9 to read as follows:

9. A minimum setback shall be maintained from the edge of any pond to any septic tank or septic drain field or well in accordance with the standards of the St. Clair County Health Department.

Section 17. Trash Enclosures

Amend Ordinance 30 to add new section 13.30 as follows:

Section 13.30 Trash Enclosures

- A. For all uses other than single family homes, all outdoor trash receptacles and areas used for the storage of waste products shall be enclosed and screened from the view of public rights-of-way and adjacent residential properties as follows:
 1. The receptacle or storage area shall be enclosed within a fully obscuring fence or wall not less than five feet in height and not more than eight feet in height.
 2. The fence or wall shall be constructed of durable materials and designed to match or complement the exterior finish of the principal building on the site.
 3. The enclosure shall be accessed by a gate. The gate shall be obscuring and shall remain closed when the enclosure is not being accessed.
 4. The enclosure shall be set back no less than 15 feet from any residential property line.
 5. No trash enclosure shall be located in a front yard.
 6. All trash enclosures shall be mounted on a base of concrete, graded so as to ensure proper drainage of the enclosure. The pad shall extend 12 feet outside the enclosure in front of the gate. The route of access to the trash enclosure shall be fully paved.
 7. All trash enclosures and trash receptacles shall be kept in good repair and maintained in a clean and orderly manner.
 8. On all sides of a pad that do not abut pavement, a turndown/rat wall shall be installed.
- B. New construction on all sites other than single family homes shall include, at a minimum, the installation of a concrete pad capable of supporting a trash enclosure meeting the standards of item A above, regardless of whether the proposed use intends to have an outdoor trash receptacle or area for storage of waste.

Section 18. Repeal, Effective Date

1. All regulatory provisions contained in other Township Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed.
2. This Ordinance shall become effective seven days following publication of a Notice of Adoption.
Ayes: Members Stevens, Edwards, Teltow, Pankiewicz, Robertson, Goulston.
Nays: None.
Abstain: None.
Motion carried.

This will be sent to the Metropolitan Planning Commission and they make comments and send to Casco Township Board which takes an extra month because they have 30 days to act.

10. PLANNER'S REPORT

Michigan citizens passed Proposal 1 legalizing marihuana. Township needs to adopt a general ordinance to opt out. The Planning Commission won't be involved in adopting an ordinance, but that's the structure of the new law. Functionally you have a year to opt out, State's been given a year to draft rules and accept applications. If after a year the State hasn't adopted rules and began accepting applications, which is a high likelihood of that, one year and 10 days after certification of the election if they haven't started accepting applications they can come straight to municipalities and if municipalities don't have an opt out on your books you have to permit it. Would have latitude to say where it would go, but don't have ability to deny it. Christine Anderson has drafted an ordinance that the Township can look at. We have functionally a year to deal with it. Have to be licensed by the State to sell.

11. REPORT FROM COMMITTEES

Chairman Teltow and Member Stevens participated in the Metropolitan Planning Commission workshop which will be discussed next month.

Chairman Teltow reviewed a site plan flow chart which allow us to know where we're at with the site plan review process. Need to work at getting proper site plans from applicants.

12. ADJOURNMENT

A motion was made by Member Goulston, supported by Member Pankiewicz to adjourn at 9:03 p.m.

Ayes: Members Stevens, Edwards, Teltow, Pankiewicz, Robertson, Goulston.

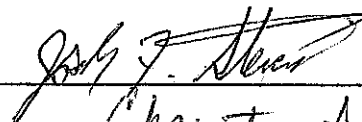
Nays: None.

Abstain: None.

Motion carried.

The next regular meeting of the Casco Township Planning Commission will be held at 7:00 p.m. on Tuesday, December 18, 2018 at the Casco Township Hall, 4512 Meldrum Road.

Joseph F. Stevens, Secretary



Christine Ruemenapp, Recording Secretary

