

**DELHI CHARTER TOWNSHIP
MINUTES OF THE PLANNING COMMISSION HELD ON OCTOBER 10, 2016**

The Delhi Charter Township Planning Commission held a regular meeting on Monday, October 10, 2016 in the Multipurpose Room at the Community Services Center, 2074 Aurelius Road, Holt, Michigan. Commissioner Lincoln called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members Present: Rita Craig, Michael Goodall, Don Leaf, Matthew Lincoln, Tonia Olson, Betsy Zietlow

Members Absent: Kimberly Berry-Smokoski, Jon Harmon, Ken O'Hara

Others Present: Tracy Miller, Director of Community Development
Noelle Tobias, Building Secretary

AMENDMENTS TO THE AGENDA: None

APPROVAL OF THE August 8, 2016 PLANNING COMMISSION MINUTES

Goodall moved and Olson seconded to approve the August 8, 2016 meeting minutes.

A Voice Poll was recorded as follows: All Ayes

Absent: Kimberly Berry-Smokoski, Jon Harmon, Ken O'Hara

MOTION CARRIED

PUBLIC COMMENT (Non-Agenda Items): None

FINAL SITE PLAN APPROVAL, 3440 DUNCKEL ROAD, SP16-004, KLEIN BROTHERS LLC, 4,700 SF ADDITION, 33-25-05-02-200-018

Ms. Miller presented the staff report for this case. There is an existing semi-enclosed storage structure that the applicant is proposing to fully enclose. Ordinance 91 requires that sidewalk be installed for the entire length of both road frontages (Dunckel and Legacy Parkway). However, the applicant has received approval of a sidewalk postponement agreement from the Delhi Board of Trustees for the section of sidewalk south of the Dunckel Road driveway. The final site plan has been reviewed and approved by the various reviewing agencies.

Mr. David Klein, the applicant for this project, was present.

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Discussion: There was no discussion.

Olson moved, seconded by Goodall to approve the Final Site Plan submitted by Klein Brother, LLC with a revision date of 9/20/16, for the construction of a 4,700 SF addition at 3440 Dunckel Road (Parcel Number 33-25-05-02-200-018) based on meeting the Zoning Ordinance requirements for Site Plan Review and approval pursuant to Section 3.3.

A Roll Call Vote was recorded as follows:

Ayes: Craig, Goodall, Leaf, Lincoln, Olson, Zietlow
Nays: None
Absent: Berry-Smokoski, Harmon, O'Hara,
Abstain: None

MOTION CARRIED

PUBLIC HEARING FOR SUP NO.16-280, 1375 N. CEDAR STREET, THOMPSON'S GARAGE LLC, 33-25-05-25-101-011

Ms. Miller reviewed the staff report for the Thompson's Garage LLC Special Use Permit. The applicant is requesting the SUP to permit service and repair of motor vehicles within the C-2: General Business zoning district. Most, if not all, of the buildings on this property are legally non-conforming. Historically, there have been three separate requests for auto repair facilities on this site. Two of the applications were approved and one was disapproved.

Mr. Eric Thompson, representing Thompson's Garage LLC, was present and discussed what his intentions were with the property.

Discussion: Goodall, Leaf and Zietlow had some questions. Mr. Thompson addressed these questions.

Public Hearing opened @ 6:57pm

There was no public comment.

Public Hearing closed @ 6:57pm

Olsen moved, Goodall seconded, to recommend to the Township Board to the Township Board approval of SUP #16-280 for automotive repair and service pursuant to Section 5.10.4(1) of the Zoning Ordinance for property located at 1375 N. Cedar, Mason, MI (Parcel #33-25-05-25-101-011). The following conditions to apply:

1. This building and site is legally non-conforming pursuant to Section 6.7 of the Zoning Ordinance. Any changes to the building or site, including those specifically required as conditions of this SUP, must conform to the Zoning Ordinance. The use of this site for automotive repair and servicing is not legally non-conforming.
2. The applicant must submit and receive approval for a site plan pursuant to Section 3.3 of the Zoning Ordinance. Specifically, the site plan and all subsequent site improvements must address the following:
 - Secondary containment for all oils, chemicals and other potentially hazardous substances.

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- Sanitary sewage discharge and storm water discharge from the site.
- Proper parking areas designated for customers and employees.
- Trash/waste must be placed within a fully enclosed dumpster or be stored inside a fully enclosed building.
- Parking and storage of vehicles waiting to be repaired. This must occur either:
 - i. on a paved area that is completely enclosed by an 8' high opaque fence. If this option is selected, the applicant must ensure that no rainwater runoff leaves the parking area unless it is subjected to pre-treatment sufficient to ensure that oil or other contaminants are removed, or
 - ii. within a fully enclosed building.

3. There shall be no outdoor display of vehicles for sale on the premises.

4. Operations must comply with all State of Michigan requirements and licensing.

5. Site and business must operate in a manner that is compliant with all Township Ordinances and requirements at all times.

The Planning Commission has received the "Basis for Determination for Granting a Special Use Permit" and has found that the general and specific standards outlined in Section 8.1.3 have been satisfied and that those findings are accurately reflected in the document entitled "Basis for Determination for SUP#16-280" dated October 5, 2016 and it is fully incorporated into this motion and the official meeting minutes.

A Roll Call Vote was recorded as follows:

Ayes: Craig, Goodall, Leaf, Lincoln, Olson, Zietlow
Nays: None
Absent: Berry-Smocoski, Harmon, O'Hara,
Abstain: None

MOTION CARRIED

PUBLIC HEARING FOR SUP NO.16-281, 5822 HARPER ROAD, RAY'S DRIVEWAY SEALING, 33-25-05-29-300-030

Ms. Miller reviewed the staff report for Ray's Driveway Sealing. The applicant is requesting the SUP to permit the operation of a Contractor's Office within the A-1: Agricultural zoning district. The subject property is the applicant's primary residence. He states that he has been running this business out of his home for at least the last ten years. This issue came to our attention because on a code enforcement complaint. As soon as the owner was made aware of the issue he started taking steps to bring the property into compliance, by applying for the required SUP.

Mr. Raymond Bollis, representing Ray's Driveway Sealing, was present.

Discussion: Mr. Bollis wanted the Planning Commission to be aware that there are two valves on the sealant tank. This two valve system ensures that product cannot accidentally leak out of the tank.

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Public Hearing opened @ 7:10pm

There was no public comment.

Public Hearing closed @ 7:11pm

Craig moved, seconded by Goodall, to recommend to the Township Board approval of SUP #16-281 for a Contractor's Office in the A-1: Agricultural Zoning District pursuant to Section 5.21.4(19) of the Zoning Ordinance for property located at 5822 Harper Road (Parcel #33-25-05-29-300-030). The following conditions to apply:

1. No retail sales activity is permitted, pursuant to Section 5.21.4(19).
2. All equipment and materials must be kept inside an enclosed building.
3. Only passenger vehicles and trucks licensed for over the road use are permitted to be parked outside. The parking of semi-trailers, panel trucks or similar is not permitted. All parking shall only occur on hard surfaced/gravel areas and comply with the requirements of Section 7.1.13 of the Zoning Ordinance.
4. All waste materials must be properly and legally disposed of and may not be stockpiled or otherwise kept on the property.
5. Equipment shall not be washed or cleaned out on the property.

The Planning Commission has received the "Basis for Determination for Granting a Special Use Permit" and has found that the general and specific standards outlined in Section 8.1.3 have been satisfied and that those findings are accurately reflected in the document entitled "Basis for Determination for SUP#16-281" dated October 4, 2016 and it is fully incorporated into this motion and the official meeting minutes.

Non-Motorized Trail Plan

Bob Ford and Matt Hull, of LAP, Inc., presented the highlights of the Non-Motorized Transportation Plan and discussed the input process that had been undertaken prior to the meeting. It was stated that the draft plan would be finally available very soon and that the next step would be to schedule a public hearing. Ms. Miller stated that the hearing would be scheduled for November 28, 2016, unless there was objection from the PC. The PC concurred that this was acceptable.

GENERAL DISCUSSION AND UPDATES

There was general discussion about that status of ongoing projects.

ADJOURNMENT

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Meeting adjourned at approximately 7:44 p.m.

Date: _____

Kimberly Berry-Smokoski, Secretary

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