

CHARTER TOWNSHIP OF HARRISON
HARRISON TOWNSHIP, MICHIGAN 48045
PLANNING COMMISSION MINUTES
THURSDAY, JANUARY 10, 2008 – 7:00 P.M.
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A regular meeting of the Harrison Township Planning Commission was held on **Thursday, January 10, 2008 at 7:00 PM** in Rosso Memorial Hall located at 38255 L'Anse Creuse, Harrison Township, Michigan 48045.

A. CALL MEETING TO ORDER:

Chairman Tomenello called the meeting to order at 7:00 p.m.

B. ROLL CALL:

PRESENT: Members Bill Fowke, John Swiatkowski, Maria Zingas and
Chairman Lawrence Tomenello

ABSENT: Members Mark Bacha, Douglas McDougal and Mike Rice – Excused

ALSO PRESENT: Rosemary Davis - Township Attorney
Patrick Meagher -Township Planner
Dave Nummer – Township Engineer
Cynthia Chambos – Recording Secretary

C. APPROVAL OF AMENDED AGENDA:

Motion by Member Zingas supported by Member Fowke to approve the Agenda as presented.

<u>Roll Call Vote:</u>	Member Zingas	Yes
	Member Fowke	Yes
	Member Swiatkowski	Yes
	Chairman Tomenello	Yes

Motion Carried.

D. APPROVAL OF MINUTES: December 11, 2007

Motion by Member Swiatkowski supported by Member Zingas to approve the meeting minutes of December 11 2007, as presented.

<u>Roll Call Vote:</u>	Member Swiatkowski	Yes
	Member Zingas	Yes
	Member Fowke	Yes
	Chairman Tomenello	Yes

Motion Carried.

E. ELECTION OF OFFICERS:

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Motion by Member Zingas supported by Member Swiatkowski to post-pone Election of Officers, date specific to February 21, 2008, for a full Commission.

<u>Roll Call Vote:</u>	Member Zingas	Yes
	Member Swiatkowski	Yes
	Member Fowke	Yes
	Chairman Tomenello	Yes

Motion Carried.

F. REVIEWS

- 1) **Case #01-08-APPEAR:** **Beacon Cove Marina, Inc. – John Whitehurst – Petitioner
36360 Jefferson Avenue, Harrison Twp, MI 48045 (Zoned WF)
Proposed Inground Pool and Deck Addition
Property #0960-0026-00, Sidwell #17-12-30-254-005**

John Whitehurst, 8889 Anchor Bay Drive, Clay Township. Petitioner was present to address his case. Mr. Whitehurst gave a brief overview of the proposed pool, hot tub and deck plan as presented. He went on to state the reasons why the applicant feels this is a much needed improvement to their establishment. Mr. Whitehurst also thanked Member Fowke for coming out to the site for a tour and also the Fire Department for their help with their equipment in order to address the turn radius situation. Mr. Meagher's comments have been addressed along with the Fire Chief's comments. There was also an issue of parking which has been resolved.

A brief discussion ensued between the Commissioner's and Mr. Whitehurst relative to removal of all parking in the deck area to the pump area, installation of barriers to that area, access that would be available for emergency vehicles, the trash receptacle, pool capacity (37), boat slips (550), rack building (200+), life guards at the pool and the private guards (on duty 24/7).

Another brief discussion ensued relative to the hardship of not having this approved this evening – especially the fact being the tough economic times.

Mr. Whitehurst went on to explain that with gas prices what they are, most people would prefer to spend time on their boat and in a pool rather than taking their boats out on the water. Also, there were many boat slips that were not used last summer and will probably remain the same this summer. Bottom line is that if people don't go to use their boats and the marina, the marina does not make money making it difficult to pay taxes.

Chairman Tomenello asked if there were any other questions from the Commissioners and hearing none opened up the floor for public comments.

Sam Bushell, 39460 Venetian: Voice his comments relative to this case.

Member Swiatkowski had comments pertaining to the small size of the proposed additions in comparison to the entire site of the marina. He feels there is no need for a full blown site plan for this proposal.

Patrick Meagher, Planner, agreed with the comments made by Member Swiatkowski and addressed the issue of an appearance review versus a full site plan review. The applicant has addressed all his issues and Mr. Meagher is asking the Planning Commission to waive some of the requirements that would be needed for a full site plan.

Motion by Member Swiatkowski supported by Member Fowke to approve Case #01-08-APPEAR, Beacon Cove Marina, Inc. – John Whitehurst – Petitioner, 36360 Jefferson Avenue, Harrison Twp, MI 48045 (Zoned

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WF), Proposed Inground Pool and Deck Addition, Property #0960-0026-00, Sidwell #17-12-30-254-005, subject to the following:

- 1) Removal of all parking in the deck area extending all the way to the gas pumps.
- 2) The installation of a barrier gate or arm, approved by the Fire Department, be installed so that access is available for emergency vehicles.
- 3) Trash receptacle must be addressed on plans and properly screened.
- 4) These conditions must be addressed on a suitable plan, that's legible, and submitted to the Building Department to be kept on file.

Chairman Tomenello asked if there was any discussion on the motion.

Member Zingas would like to see some type of acceptable landscaping around the deck and along Jefferson; also the sidewalk issue addressed along Jefferson

Motion amended by Member Swiatkowski to add acceptable landscaping around the deck and on Jefferson and also address the issue of future sidewalks along Jefferson.

Chairman Tomenello would like the applicant to supply screening around the dumpster, even though it is not there right now, it will be for the summer months.

Motion amended by Member Swiatkowski to add the dumpster to the plans and supply screening around the dumpster as per our Ordinance.

Chairman Tomenello also asked Member Swiatkowski to amend his motion to include a clean set of prints that details everything that we have spoken about.

Motion amended by Member Swiatkowski to include a clean set of prints detailing all the issues in this entire motion.

Chairman Tomenello asked Member Fowke if he would support all the amended motions made by Member Swiatkowski.

Member Fowke stated his support for the amended motions.

Chairman Tomenello asked if there was any other discussion on this motion and hearing none asked for a roll call.

<u>Roll Call Vote:</u>	Member Swiatkowski	Yes
	Member Fowke	Yes
	Member Zingas	Yes
	Chairman Tomenello	Yes

Motion Carried.

- 2) **Case #02-08-SGN:** Jimmy's Boats & Baits – Byron Kalia – Petitioner
37934 Jefferson Avenue, Harrison Twp, MI 48045 (Zoned R-1-D)
Proposed Awning Sign

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Byron Kalia was present to address his case. He is proposing to replace the awning sign that was there before he purchased the business.

A brief discussion ensued relative to the pole sign. It will be used but it will be non-lit with the plastic on it and his logo for the business. Basically it will be just a resurface. This does not need to be addressed by the Planning Commission.

Motion by Member Swiatkowski supported by Member Zingas to approve Case #02-08-SGN, Jimmy's Boats & Baits – Byron Kalia – Petitioner, 37934 Jefferson Avenue, Harrison Twp, MI 48045 (Zoned R-1-D), Proposed Awning Sign.

Chairman Tomenello asked if there was any discussion on this motion.

Member Zingas asked to grandfather the stand alone sign.

A brief discussion ensued relative to the grandfathering of the stand alone sign.

Chairman Tomenello asked if there was any further discussion and hearing none asked for a roll call.

<u>Roll Call Vote:</u>	Member Swiatkowski	Yes
	Member Zingas	Yes
	Member Fowke	Yes
	Chairman Tomenello	Yes

Motion Carried.

3) **Case #03-08-APPEAR:** **North River Road Marina – Larry Rekowski – Marine One, Ltd, - Petitioner**
32020 North River Road, Harrison Twp, MI 48045 (Zoned WF)
Proposed Dock Construction
Lots 1 – 4, Supervisor's Plat #9, Harrison Twp, MI 48045
Property #0140-0075-00, Sidwell #12-15-177-002

Larry Rekowski, Marine One, was present to address this case for the applicant. Mr. Rekowski gave a brief overview of the proposed project. They are installing a new seawall and relocating docks. The intent is to relocate and increase boat wells. The boat wells will increase from 12 to 13. There was also a question relative to parking issues on the property. There is ample parking on site and available on property on both sides of the property along with an easement agreement from the County.

Chairman Tomenello asked the Commissioner's if they had any questions for the petitioner.

A lengthy discussion ensued between the Commissioner's and the petitioner relative to what type of business this is and what other businesses are in the adjacent areas. Also, parking issues, cleanup of the business area, boat well placement, the seawall, the number of boats being stored in dry dock, what types of businesses are in the building and the reason why they need this extra boat well. The Commission looked at the plans to see if it would be determined if there were any additional improvements necessary based on the extent of the proposal.

Chairman Tomenello asked if there were any other questions from the Commissioner's for the petitioner and hearing none opened up the floor for public comment.

Sam Bushell, 39460 Venetian: Voice his comments relative to this case.

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Chairman Tomenello asked if there were any other comments from the public and hearing none, brought the discussion back to the Commissioner's for further questions.

Member Zingas asked what improvements were made to the property that was not addressed by the Commission and the petitioner stated he was unaware of them.

Patrick Meagher, Planner, stated that the Commission might, at this time, consider tabling this case, and allow the applicant to meet with the Tech Team to address these issues, go out to the sight and see just what this applicant has on his property, address the parking issue and go forward from there. This would allow us to come back with a bit more concrete information on this proposal because the plans are just not complete enough to be really able to assess the case at this point.

Chairman Tomenello agreed with Mr. Meagher.

Motion by Member Zingas supported by Member Swiatkowski to approve Case #03-08-APPEAR, North River Road Marina – Larry Rekowski – Marine One, Ltd, Petitioner, 32020 North River Road, Harrison Twp, MI 48045 (Zoned WF), Proposed Dock Construction, Lots 1 – 4, Supervisor's Plat #9, Harrison Twp, MI 48045, Property #0140-0075-00, Sidwell #12-15-177-002, subject to the following:

- 1) **Proceed with the seawall reconstruction as shown on Plan 306, existing and proposed seawall configuration.**

Motion by Member Zingas supported by Member Swiatkowski to table Case #03-08-APPEAR, North River Road Marina – Larry Rekowski – Marine One, Ltd, - Petitioner, 32020 North River Road, Harrison Twp, MI 48045 (Zoned WF), Proposed Dock Construction, Lots 1 – 4, Supervisor's Plat #9, Harrison Twp, MI 48045, Property #0140-0075-00, Sidwell #12-15-177-002, until such time the applicant will meet with the Tech Team and our Planner to address the following:

- 1) **Discuss and outline the parking area.**
- 2) **A building inspection on the property.**
- 3) **The service building inspection on the property.**
- 4) **Allot for some landscaping and whatever else appears to be needed for the property.**
- 5) **At that time, when we have more information, we can make a determination about the proposed dock.**

Chairman Tomenello stated that although Member Zingas stated that the petitioner can proceed with the seawall, you did not say anything about the existing docks. His permit also includes work on the existing docks.

Motion amended by Member Zingas to include the following:

Petitioner can proceed with work on the docks with exception of the proposed dock and dock number 8 and dock number 9 because they would also have to be moved in order to conform to the plans. Also, if the proposed dock is not approved, it would cause problems with the other two (2) mentioned docks.

Member Swiatkowski stated his support for the amended motion.

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Chairman Tomenello asked if there were any other questions or discussion on this case and hearing none asked for a roll call.

<u>Roll Call Vote:</u>	Member Zingas	Yes
	Member Swiatkowski	Yes
	Member Fowke	Yes
	Chairman Tomenello	Yes

Motion Carried.

Chairman Tomenello requested Cynthia Chambos, Recording Secretary, relay the information of this motion to Vijay Parakh, Building Official, so that he is aware of this before the applicant proceeds.

- 4) **Case #04-08-S:** **North Star Sail Club – Mike Williams – Petitioner**
32041 South River Road, Harrison Twp, MI 48045 (Zoned WF)
Proposed Jib Crane
Lots 1 – 16, St. Clair Haven Subdivision, Harrison Twp, MI 48045
Property #0730-0002-00, Sidwell #17-12-15-303-003.

Greg Swetka, Commodore, North Star Sail Club, was present to address his case. Mr. Swetka requested to have his case tabled to the next Planning Commission meeting due to the inability of his speaker to be here because of the change in meeting dates from the third Thursday to the second Thursday of this month.

Motion by Member Zingas supported by Member Fowke to table Case #04-08-S, North Star Sail Club – Mike Williams – Petitioner, 32041 South River Road, Harrison Twp, MI 48045 (Zoned WF), Proposed Jib Crane, Lots 1 – 16, St. Clair Haven Subdivision, Harrison Twp, MI 48045, Property #0730-0002-00, Sidwell #17-12-15-303-003, in consideration of petitioner’s request, requested in the letter dated January 7, 2008 to date specific of February 21, 2008 – our next Planning Commission meeting.

<u>Roll Call Vote:</u>	Member Zingas	Yes
	Member Fowke	Yes
	Member Swiatkowski	Yes
	Chairman Tomenello	Yes

Motion Carried.

- 5) **Case #06-08-APPEAR:** **Michigan Fence & Supply Co. – Rob Roberts – Petitioner**
25553 Joy Boulevard, Harrison Twp, MI 48045 (Zoned M-1)
Property in Question: 41600 Executive Drive, Harrison Twp, MI
Proposed replacement of existing fence.
Assessors Plat #1, Lots 5, 6 and the North 150 Feet of Lot #7
Property #0050-0005-00, Sidwell #11-12-478-010.

Rob Roberts was present to address his case. Mr. Roberts gave a brief overview of his proposed fence project. The plans are to remove the existing chain link fence with slots and replace with a simulated rock wall partition.

A brief discussion ensued between Commissioner’s and the petitioner, Rob Roberts, pertaining to type of materials being used and as to how the wall is constructed and anchored, the height of the wall, landscaping issues, and existing gate, which is steel. All issues pertaining to the Planner’s Review have been addressed.

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Motion by Member Zingas supported by Member Fowke to approve Case #06-08-APPEAR, Michigan Fence & Supply Co. – Rob Roberts – Petitioner, 25553 Joy Boulevard, Harrison Twp, MI 48045 (Zoned M-1), Property in Question: 41600 Executive Drive, Harrison Twp, MI, Proposed replacement of existing fence, Assessors Plat #1, Lots 5, 6 and the North 150 Feet of Lot #7, Property #0050-0005-00, Sidwell #11-12-478-010, subject to the following:

- 1) Replace existing fence with the proposed material fence as presented.
- 2) Applicant shall provide small shrubs and greenery in front of the rock wall fence.
- 3) Shall use existing gate on the side of the wall.
- 4) The height of the wall will be six (6) feet.

Chairman Tomenello would like to make a suggestion relative to the greenery. Would you be willing to amend your motion to read “strategically placed or designed appropriately to break up the wall area – not necessarily in a row of shrubs?”

Motion amended by Member Zingas and supported by Member Fowke to have greenery (trees, shrubs, etc) placed strategically or designed appropriately along the wall area – not necessarily all in a row of shrubs. This should be shown on the plans when submitted to the Building Department for permit.

<u>Roll Call Vote:</u>	Member Zingas	Yes
	Member Fowke	Yes
	Member Swiatkowski	Yes
	Chairman Tomenello	Yes

Motion Carried.

G. UNFINISHED BUSINESS:

- 6) Case #25-07-APPEAR: Appearance Review – Lois A. Havey, Partner of Boca Properties, A Michigan Co-Partner
91 Cass Avenue, Mt. Clemens, MI 48043 (Zoned RW)
Property in Question: 32825 South River Road,
Harrison Twp, MI 48045
Proposed Fence and Gate Installation
Supervisor’s Plat No. 3, Lots 44 through 45 Lying North of South River Road, Property #0980-0041-01, Sidwell #17-12-15-426-018

Chairman Tomenello addressed correspondence received from the applicant requesting to withdraw their case at this time.

Motion by Member Swiatkowski supported by Member Zingas to withdraw Case #25-07-APPEAR - Appearance Review – Lois A. Havey, Partner of Boca Properties, A Michigan Co-Partner, 91 Cass Avenue, Mt. Clemens, MI 48043 (Zoned RW), Property in Question: 32825 South River Road, Harrison Twp, MI 48045, Proposed Fence and Gate Installation, Supervisor’s Plat No. 3, Lots 44 through 45 Lying North of South River Road, Property #0980-0041-01, Sidwell #17-12-15-426-018, at the petitioner’s request.

<u>Roll Call Vote:</u>	Member Swiatkowski	Yes
	Member Zingas	Yes
	Member Fowke	Yes
	Chairman Tomenello	Yes

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Motion Carried.

- 7) **Case #30-07-APPEAR:** **Appearance Review – Lan Lozon – Land & Lake Realty
36647 Jefferson, Harrison Twp, MI 48045 (Zoned B-3)
Proposed storage shed (10' x 12') and building (40' x 60')
Property #0500-0001-00, Sidwell #17-12-30-203-036**

Chairman Tomenello addressed correspondence received from Mr. Lozon requesting to have his case tabled while exploring options for his case. This is the second or third month in a row that this request has come before the Commission and has been tabled with no date specific. He believes that the Commission has not received any type of date specific information from the petitioner as to when he wants it tabled. The second concern he has is the storage building – is it really proper for an Appearance Review.

Cynthia Chambos, Recording Secretary, read from the November 15, 2007 PC Motion, to the Commission, that this item was tabled per the petitioner's request at the November 15, 2007 Planning Commission meeting date specific to the January 17, 2008 Planning Commission meeting. Planning Commission is requesting a full site plan review. Cynthia stated that the petitioner was made aware of this request by the Planning Commission.

Chairman Tomenello thanked Cynthia for the information and with that said asked for a motion or consideration from the Board to deny this based on the fact that we do not have a full site plan review from the petitioner at this time.

Patrick Meagher stated that in addition, the Board may want to add to this motion, the fact that the petitioner is not requesting a full site plan review at this time; he is only filed an Appearance Review application. The Appearance application should be denied on the basis that this well exceeds an Appearance application.

Chairman Tomenello asked if there was any discussion on the case and hearing none asked for a motion on this case.

Motion by Member Zingas supported by Member Swiatkowski to deny Case #30-07-APPEAR - Appearance Review – Lan Lozon – Land & Lake Realty, 36647 Jefferson, Harrison Twp, MI 48045 (Zoned B-3), Proposed storage shed (10' x 12') and building (40' x 60'), Property #0500-0001-00, Sidwell #17-12-30-203-036, based on the following:

- 1) **The petitioner made an Appearance application to the Commission, which appears to exceed the Appearance Review application requirements and, therefore, at this time, we are unable to make a decision on the case, and the request to be tabled is denied.**
- 2) **In addition, the petitioner did not address our motion made during our November 15, 2007 Planning Commission meeting, which specifically requested a full site plan to be provided to us for review and consideration, during our January 17, 2008 Planning Commission meeting.**

<u>Roll Call Vote:</u>	Member Zingas	Yes
	Member Swiatkowski	Yes
	Member Fowke	Yes
	Chairman Tomenello	Yes

Motion Carried.

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- 8) **Case #23-06-SLU:** **Site Plan and Special Land Use – River Bay Gardens Condominiums, Village Building South, Mike Mattera Proposed 32 Unit Cluster Residential Housing Development South of Emerick, East of Jefferson, Between Metro Parkway and South River Road (Zoned R-1-D)**
A vacant parcel of land in the Township, part of Private Claims 238 and 319, Described as Lots 150-156, 225-230, 273-289, 258-374, and 410-426 of Riverside Bay Gardens Subdivision (Tabled Date Specific from the November 15, 2007 Planning Commission Meeting to December 13, 2007 to allow applicant to apply to the Tech Team).

Chairman Tomenello addressed correspondence received from the petitioner requesting to have their case withdrawn at this time due to economic conditions.

Motion by Member Swiatkowski supported by Member Fowke to withdraw Case #23-06-SLU, Site Plan and Special Land Use – River Bay Gardens Condominiums, Village Building South, Mike Mattera, Proposed 32 Unit Cluster Residential Housing Development, South of Emerick, East of Jefferson, Between Metro Parkway and South River Road (Zoned R-1-D), A vacant parcel of land in the Township, part of Private Claims 238 and 319, Described as Lots 150-156, 225-230, 273-289, 258-374, and 410-426 of Riverside Bay Gardens Subdivision, at the petitioner’s request.

<u>Roll Call Vote:</u>	Member Swiatkowski	Yes
	Member Fowke	Yes
	Member Zingas	Yes
	Chairman Tomenello	Yes

Motion Carried.

- H. **NEW BUSINESS** None
- I. **CORRESPONDENCE** None
- J. **COMMENTS FROM THE PLANNER**
- K. **COMMENTS FROM THE FLOOR**

Chairman Tomenello stated the next meeting would be on January 17, 2007, which will be open to the public for comment, for the primary final stages of our Master Plan.

Sam Buschell, 39460 Venetian: Voiced his concerns relative to North Star Sail Club and various issues relative to other marinas and their boat storage issues along with parking issues.

Member Fowke requested to go to the training sessions being held in February for members of the Planning Commission. The Commissioner’s gave their approval.

Member Swiatkowski stated that he will not be able to attend the February Planning Commission meeting.

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L. **NEXT MEETING:** February 21, 2008 at 7:00 pm in Rosso Hall.

M. **ADJOURNMENT:**

Motion by Member Swiatkowski supported by Member Zingas to adjourn the meeting at 8:55 p.m.

Ayes: 4 Nays: 0

Motion Carried.

Mark Bacha, Secretary
Harrison Township Planning Commission

Cynthia Chambos, Recording Secretary