

**Charter Township of Hampton
Planning Commission
April 13, 2023**

The regular meeting of the Charter Township of Hampton Planning Commission was called to order at 7:02 p.m. by Chairperson Talaga in the Hampton Township Board Room.

PRESENT: Talaga, Klass, Brey, Adamowski, Leinberger

ABSENT: Mulders, Wright

ALSO PRESENT: Sheppard, DeWyse, Hebner, Daly-Martin, Close, Benchley and 22 people in the audience

Motion by Adamowski, seconded by Klass, that the minutes of the March 9, 2023 meeting be approved as printed and that the reading of the minutes be waived. Ayes all, motion carried.

COMMUNICATIONS:

Seven letters from residents nearby LOU, LLC dba JCS Tool & Mfg.

NEW BUSINESS:

I. Special Use Permit Amendment

Corey and Delinah Anderson

Amend Previous Special Use Permit - Pond Fence

Parcel # 09-070-048-100-085-10 and 09-070-048-100-085-11

Arms Rd.

Planner Daly-Martin provided a summary and update regarding the background to the need for an amendment to the timeline to remove the fencing requirement.

On December 10, 2020 an amendment was made to remove the fence requirements original to the construction of the pond on site. At that time, the previous property owner, Henika, had signed a purchase agreement with the current property owners, the Anderson's, who petitioned the planning commission to remove the fence requirement because they intended to construct a home on site. The planning commission required that construction of that house would take place within one year. Due to circumstances out of Anderson's control, construction did not occur during that one-year time frame. In order to avoid installing a fence, the applicant is requesting to amend the special use permit timeline.

Anderson's agreed with the planner's summary and indicated that they plan on breaking ground this Spring as they are currently finalizing site plans with their builder.

At this time the meeting was open to the public. No public comment.

The meeting was closed to public comment.

Motion by Leinberger, seconded by Klass, to extend the timeline of the special use permit for one year, with the stipulation that a building permit be issued within one year of today's meeting.

Ayes all, motion carried.

II. Site Plan Review

Storage of America - McKenna Dev, LLC

Parcel # 09-070-025-100-015-00

1377 W Center Rd

Planner Daly-Martin provided a review of the site plan, including that the parcel was incorrectly identified as B-1, when it should be I-1. As Daly-Martin identified concerns about setbacks related to exterior items on the site plan, Thomas M. Fitzpatrick, representing McKenna Development, LLC, indicated that the site plan submitted covers several phases of potential construction and clarified that the current phase of construction would be limited to interior modifications, with exterior changes related to lighting, parking, and signage only. Fitzpatrick also provided the Board with an updated print of the signage.

Discussion by the Board, requesting that the site plan be revised to include just the first phase of construction, understood to include interior construction, minor parking lot improvements, wall pack lighting, landscaping, signage and flagpole.

At this time the meeting was open to the public. No public comment.

The meeting was closed to public comment.

Motion by Adamowski, seconded by Leinberger, to give administrative authority to Dewyse and Daly-Martin to approve site plan revisions as discussed.
Ayes all, motion carried.

III. Special Use Permit Review, Commercial Pond Re-noticed

Consumers Energy Co., Golder and Assoc.

Parcel # 09-070-012-200-005-00

2305 N Boutell Rd, SE

Chairperson Talaga adjusted the order of the original meeting agenda to accommodate the audience size and interest, moving the Unfinished Business item to this portion of the meeting.

Planner Daly-Martin provided an update on the special use permit, indicating that safety concerns were addressed in an email from March 23, 2023. During construction of the pond, a fence will be erected once topsoil is removed and a depth of 4 feet is achieved. Representatives from Consumers indicated that this new fence will tie into the existing security fence on the property. As excavation continues, pumps will keep the pit empty of water. Ladders will be installed at appropriate intervals on the sides of the pond away from the sloped truck entrance, and a small boat and rescue rings will be on site as water fills the pond.

Discussion revealed that established safety protocols at Consumers as well as those common to construction will be implemented by the contractor creating the pond. Clarification that an annual report of construction progress will be submitted to the Township at the conclusion of one construction season so that the Board can review the progress before renewing the permit for the following construction season. An informal timeline was discussed. Consumers will issue their report by late winter (February/March) so that the Board can review progress before the new construction season (April/May).

At this time the meeting was open to the public. No public comment.

The meeting was closed to public comment.

Motion by Leinberger, seconded by Talaga, to approve the special use permit.

Ayes all, motion carried.

IV. Rezone from Business-1 to Planned Enterprise District

Lou, LLC dba JCS Tool & Mfg.

Parcels # 09-070-023-400-285-00, 201 N Powell; 09-070-023-400-290-00, 193 N Powell; 09-070-023-400-295-00, 3593 Center Ave; 09-070-023-200-130-02, No Street No.

Planner Daly-Martin provided an overview of the request and the criteria for rezoning. The applicant is requesting rezoning of four parcels, two of which are zoned B-1 and two of which are zoned R-1, to an I-1 designation. This will allow future expansion of the existing manufacturing facility and/or rental properties. Parcels are located on the NE side of the intersection of Center Avenue and N Powell Road. Criteria for rezoning were recapped (Section 20.02 F) as well as the procedure for rezoning (Section 20.03).

At this time, multiple letters were read aloud by Daly-Martin, Talaga, and Sheppard. Letters entered into the record were from:

Keith and Megan Manning, 209 N Powell Rd
James and Liberty Kontranowski, 1571 Kinney Dr
Andrea E Torres, 198 N Powell Rd
Jerome Crete, 200 N Powell Rd
Dale and Janice Gettel, 1559 Kinney Dr
Jeremiah and Jennifer Gourd, 205 N. Powell Rd

At this time, the meeting was opened to the public.

Crete indicated that JCS has been a good neighbor, but opposes the rezoning of the existing residential parcels, as it would further encroach upon other residential properties and have a possible negative impact on home property values.

Jeff Miller, 301 N Powell Rd, opposes the rezoning based on concerns about increased noise and moving closer into established residential areas.

Bob Kazmierski, 314 N Powell Rd, questioned the increase of truck traffic and the impact to the infrastructure of Powell Road and Kinney Drive.

Manning discussed that the rezoning conflicts with the Township Master Plan, and addressed safety concerns for his four young children with open backyards and industrial equipment in closer proximity. He asked that the Township work with JCS to help find alternative properties and potential tax incentives.

At 8:12 pm the meeting was closed to the public.

Dewyse questioned Sheppard if the residential parcels are counted into the percentage lot coverage. Sheppard and Daly-Martin will follow up and investigate how the parcels are counted and if there is a transitional zone from residential to non-residential zones. The Board discussed separating the request into two separate votes, addressing the B-1 zones separate from the R-1 requests.

Motion by Talaga, seconded by Leinberger, to recommend rezoning 193 N Powell Rd and 3593 Center Ave from B-1 to I-1.

Ayes all, motion carried.

Motion by Klass, seconded by Leinberger, to recommend no change to the R-1 zones. Ayes all, motion carried.

V. Discussion - I/PED Lot Coverage from 20% to 30%

Informal discussion with Daly-Martin and Sheppard about the challenges that some properties have complying with the existing percentages and lot coverage. An increase to 25% for properties under one acre, and allowing 30% converge on parcels exceeding one acre seems consistent with engineer recommendations. Sheppard suggested that instead of making an amendment to one section of the ordinance that Daly-Martin to review other areas of the ordinance so that amendments may be consistent and noticing of changes occur in one posting.

At this time the meeting was open to the public. No public comment.

The meeting was closed to public comment.

Motion by Klass, seconded by Leinberger, to direct Daly-Martin to review and report back recommendations for potential areas of amendment regarding lot coverages.

Ayes all, motion carried.

Open to the Public

Annette Crete asked for clarification on the recommendation process for earlier decision on JCS properties. Supervisor Close clarified that the Planning Commission makes a recommendation to the Board of Trustees. Any change would take place based on a majority vote by the Board of Trustees. The Board of Trustees meets next on April 24, 2023.

At this time the meeting was closed to the public.

Announcements

None

Motion by Leinberger, seconded by Klass, to adjourn the meeting. Ayes all, motion carried.
Meeting adjourned at 8:39 pm.

Respectfully submitted:

Tony Brey, Secretary

Presiding Officer, Jerry Talaga, Chairperson