
PITTSFIELD TOWNSHIP PLANNING COMMISSION MINUTES

Members Present: Dennis Ward, Richard Plisko, Christina Lirones, Stuart Dowty, John Norton.

Members Absent: Wilma Luna, Maria Constant.

Others Present: Tim Meagher, Gary Cooper, Gideon Hoffer, Lauren Casanova, Ken Hicks, Rolf Wohnus, Mark Pascoe, Tom Grubs, Dave Hughes, Assistant Planner Suzanne McCoy, Planning Director Bruce E. Fowler, and Recording Secretary Laura Ford.

1.0 Call Meeting to Order at 7:30 p.m. / Determination of a Quorum.

Chairperson Lirones called the meeting to order at 7:30 p.m. A quorum was present.

2.0 Pledge of Allegiance

Chairperson Lirones led the Pledge of Allegiance.

3.0 Approval of Agenda

Motion by Commissioner Ward, supported by Commissioner Plisko, to move Item 7.1 to follow Item 5.1.

MOTION CARRIED

4.0 Items from the Floor

None.

5.0 Public Hearings

5.1 CUP 07-02 Nanocerox
[submitted for a conditional use permit]

Assistant Planner Suzanne McCoy reviewed her report. She stated that the proposal is for outdoor storage in an I-1 zoning district. She listed the neighboring uses. She said that the storage is proposed in the rear of the property. She said that it would be an 8' x 20' storage unit with a nine (9) foot high fence. She said that the chemicals to be stored are used in their manufacturing process. She reviewed the findings the Commission should consider. She said that the applicant provided a memo and pollution incident prevention plan (PIPP) that lists the chemicals they would be storing and how they would be stored. She said that staff recommends that the Township Environmental Consultant look at this proposal along with public safety and provide their comments. She said that they submitted a revised site plan this evening that they made changes to along with photographs.

Chairperson Lirones asked if the proposed nine (9) foot fence would be in conformance.

Planner McCoy replied yes, the fence would be in compliance.

Gary Cooper, architect, showed the building sketch. He mentioned that the entrance is off State Circle. He said that they would like to locate the container in the rear of the property. He said that it has to be screened from view and they are proposing a fence to enclose this.

He said that the company makes nano powders, and the chemicals are currently stored inside the building.

Commissioner Dowty asked if they are currently using all the chemicals they would be storing with the addition of no new chemicals.

Gideon Hoffer, CFO of Nanocerox, stated that they are currently using all the chemicals. He said that the business has grown substantially and they need more space. He said that they would have more space if they moved the chemicals outdoors.

Commissioner Dowty asked if any of the chemicals are not permitted by the EPA or are hazardous chemicals.

Mr. Hoffer stated that some of the chemicals are flammable and some you would not want to get into the water system. He said that the proposed storage container is watertight and meets all regulations. He said that they have been in operation for ten (10) years with no incidents. He said that this is just a necessity for them to acquire more space. He said that no permits are required for the storage of the chemicals. He said that they have to give notice to the DEQ, the local emergency planning committee and the health board. He said that they have to give notice that the PIPP report is available and on file.

Commissioner Dowty asked if any of the chemicals can be affected by temperature or outdoor elements such as rain.

Mr. Hoffer stated that the structure would be fully contained and not exposed to the elements.

Chairperson Lirones opened the public hearing.

Rolf Wohnus, who owns a building next to Nanocerox, stated that he is concerned with the storm water drain where the water runs off their buildings. He said that the overflow comes down and the water is running off into their lot and into the expressway. He said that it was designed to be open at all times. He said that when the snow comes the storm sewer between the buildings is really loaded up. He said that he cannot see why they would want to put the building up there. He said that this building was built too big and they added on when there was supposed to be a parallel parking area. He said that they moved the trees out and put parking in. He said that if they put the storage on the other side of the building he would not care. He said that this is a jointly owned drain. He said that the Planning Commission should consider this.

Chairperson Lirones asked Mr. Wohnus if he was stating that the proposed outdoor storage is as large as the building.

Mr. Wohnus stated that the storage seems to be the same size as the building.

Chairperson Lirones showed Mr. Wohnus where the storage area would be.

Mr. Wohnus stated that he was looking at the wrong area. He showed where the water runs off.

Russ Payeur stated in a notice that he had no objections.

Motion by Commissioner Ward, supported by Commissioner Plisko, to close the public hearing.

MOTION CARRIED

Item 7.1 moved to follow Item 5.1 of the Public Hearing.

Chairperson Lirones stated that they have already been constructing behind the building. She asked if this was the area where they were allowed to put in a big tank and vented box.

Commissioner Ward stated that the tank is chemical storage most likely for oxygen. He said that the other box is the a.c. unit.

Chairperson Lirones stated that this might have initially been a landscape area. She asked if it is acceptable to go into the landscape area and put in pavement.

Planner McCoy stated that she would look at the original site plan.

Chairperson Lirones stated if the storage unit is not tempered it could be frozen in the winter and hotter in the summer.

Tony Sutorik, lab tech, stated that there would be circulation around the storage unit. He said that it would stay a moderate temperature so it does not become a hot box.

Chairperson Lirones stated that she was not certain that this is what the plan intended.

Commissioner Ward asked what the freezing temperature would be for the chemicals.

Mr. Sutorik stated that most the chemicals would still be liquid at usual temperatures. He said that there is one little concern for freezing -10 Fahrenheit.

Commissioner Ward stated that there could be issues with expansion as the chemical freezes.

Commissioner Dowty asked if the unit is climate controlled.

Mr. Sutorik replied no.

Commissioner Dowty asked what temperature the flammable chemicals would be stored at in the summer.

Mr. Sutorik stated that if it was ninety (90) degrees outside, the circulation would make it ninety (90) degrees inside the unit.

Chairperson Lirones stated that the environmental consultant needs to review the plan. She asked how many units the Nanocerox business occupies.

Mr. Sutorik replied the back half of the building.

Chairperson Lirones stated that the landscaping and green area was designed for the whole building. She said that she is concerned with having one user of the building encroaching into the landscape area.

Planner McCoy stated that she would review the original site plan.

Mr. Cooper stated that the original site plan was done in 1974. He said that he is not sure if the landscape area was required at that time. He said that the front landscape area is staying intact. He said that the drainage comes down State Circle with a ditch that circles around to the detention basin. He showed the outlets on a sketch of the site. He said that the site drains away from the building into the swale. He said that with this storage unit it would not have any impact on the drainage.

Commissioner Plisko asked if there is a containment unit under the container.

Mr. Cooper stated that there is a basin.

Mr. Hoffer stated that the unit is watertight. He said that it is designed to meet all the specifications for storage of this nature. He said that the chemicals are stored in drums. He said that it is required that 10% of all chemicals be contained in case of a leak. He said that this unit would exceed the requirements for containment.

Commissioner Plisko asked how high the lip of the container is.

Mr. Hoffer stated that the unit would be stored at an angle and leakage would be toward the sealed end. He said that there would be an inside berm that will act as a small dam in front of the door.

Commissioner Ward stated that they are currently storing the chemicals indoors and asked if they have procedures they use.

Mr. Hoffer replied yes. He said that with the indoor storage each drum has a containment drum underneath it.

Commissioner Ward asked the applicant to provide staff with the current indoor storage procedures. He said that they would still have chemicals delivered and handled from the outside. He said that they have been in business for a long time and they have procedures in place.

Chairperson Lirones stated that her concern is that they are expanding to the outside because they need more room inside the building.

Commissioner Norton asked if these are fifty-five (55) gallon drums.

Mr. Hoffer replied yes.

Commissioner Norton asked if they use the whole drum.

Mr. Hoffer replied yes.

Commissioner Norton asked how they get the drum out of the container.

Mr. Hoffer replied with a dolly.

Commissioner Norton asked how the chemicals are delivered.

Mr. Sutorik stated on a high-low. He said that they come on a pallet off the truck and have dollies to get them off the pallets. He said that they have a raised platform with recessed container underneath to contain any spill.

Chairperson Lirones asked if the WCDC could look at this and comment.

Planner McCoy stated that she would contact them.

Commissioner Norton asked how frequently the chemicals need to be replenished.

Mr. Sutorik replied monthly. He said that some of the chemicals take longer for them to use. He said that they receive a fresh supply on a monthly basis.

Commissioner Norton asked if there is any other part of the building that is vacant.

Mr. Hoffer stated that no units are available.

Chairperson Lirones stated that they are just making more room outside to expand the building inside. She asked if there is any potential difficulty with the hazardous materials.

Mr. Hoffer stated that this is not a permanent structure. He said that they could remove the unit when the lease ends.

Chairperson Lirones asked if this would be on a concrete slab.

Mr. Hoffer replied that it would be on footings and no slab is required.

Motion by Commissioner Ward, supported by Commissioner Dowty, to postpone action on CUP 07-02 Nanocerox, and direct staff to review and comment on information regarding the chemicals and the Pollution Incident Prevention Plan, and to review the original site plan to assure conformance.

MOTION CARRIED

6.0 Old Business

6.1 CUP 06-14 Glencoe Crossing – Outdoor Seating [submitted for conditional use permit]

Chairperson Lirones stated that the Commission previously reviewed and held a hearing on this proposal. She said that the Commission directed staff to draft a resolution of approval.

Planner McCoy stated that the site plan was approved with conditions. She said that they have resubmitted and met the conditions of approval.

Chairperson Lirones reviewed the findings:

- A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance** because the proposed use is in accordance with the general objectives of the Ordinance and the addition of outdoor seating would be an appropriate accessory use in the C-2 zoning district.

The Commissioners agreed with the finding.

- B. Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity** because the proposed outdoor seating would be appropriate with the surrounding area and a site plan was developed to provide an area to accommodate the use.

The Commissioners agreed with the finding.

- C. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service** because this site is adequately served by public services, and the approval of the use does not appear to place any additional burden on these services.

The Commissioners agreed with the finding.

- D. Will not be hazardous or disturbing to existing or future neighboring uses.**

The Commissioners agreed with the finding.

- E. Will not create excessive additional requirements at public cost for public facilities or services.**

The Commissioners agreed with the finding.

Motion by Commissioner Ward, supported by Commissioner Norton, to adopt the resolution of approval for CUP 06-14 Glencoe Crossing-Outdoor Seating. (Attachment #1)

ROLL CALL:

YES: WARD, PLISKO, LIRONES, DOWTY, NORTON
NO: NONE
ABSENT: LUNA, CONSTANT
ABSTAIN: NONE

MOTION CARRIED

6.2 CUP 06-15 Glencoe Crossing – Drive Through
[submitted for conditional use permit]

Chairperson Lirones stated that the Commission previously reviewed and held a hearing on this proposal. She said that the Commission directed staff to draft a resolution of approval.

Chairperson Lirones reviewed the findings:

- A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance.** The use would be in accordance with the general objectives of the ordinance. There are other drive-throughs in the general vicinity.

The Commissioners agreed with the finding.

- B. Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.** The surrounding uses are compatible with the proposed use of this site. However, a site plan must be reviewed to determine if the drive-through will be designed to function properly on the site.

The Commissioners agreed with the finding.

- C. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.** This site is adequately served by public services, and it does not appear that any additional burden will be placed on these services if the permit were approved.

The Commissioners agreed with the finding.

- D. Will not be hazardous or disturbing to existing or future neighboring uses.** The proposed use does not pose any hazards and should not be disturbing to any neighboring uses.

The Commissioners agreed with the finding.

- E. Will not create excessive additional requirements at public cost for public facilities or services.** The use is not expected to create excessive additional requirements at public cost for public facilities or services.

The Commissioners agreed with the finding.

Motion by Commissioner Dowty, supported by Commissioner Norton, to adopt the resolution of approval for CUP 06-15 Glencoe Crossing-Drive Through.
(Attachment #2)

ROLL CALL:

YES: WARD, PLISKO, LIRONES, DOWTY, NORTON
NO: NONE
ABSENT: LUNA, CONSTANT
ABSTAIN: NONE

MOTION CARRIED

6.3 CUP 06-16 State Street Crossing Unit #3 – Outdoor Seating [submitted for a conditional use permit]

Chairperson Lirones stated that the Commission previously reviewed this proposal and directed staff to draft a resolution of approval.

Mark Pascoe, Atwell-Hicks, stated that the plan meets all the conditions.

Chairperson Lirones stated that they did not want a lot of partitioning. She said that they should make sure there are no outdoor loud speakers.

Mr. Pascoe stated that they would comply with the noise ordinance.

Chairperson Lirones reviewed the findings:

- A. **Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance** because the proposed use is in accordance with the general objectives of the Ordinance and the addition of outdoor seating would be an appropriate accessory use in the C-2 zoning district.

The Commissioners agreed with the finding.

- B. **Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity** because the proposed outdoor seating would be appropriate with the surrounding area and a site plan was developed to provide an area to accommodate the use.

The Commissioners agreed with the finding.

- C. **Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service** because this site is adequately served by public services, and the approval of the use does not appear to place any additional burden on these services.

The Commissioners agreed with the finding.

- D. **Will not be hazardous or disturbing to existing or future neighboring uses.**

The Commissioners agreed with the finding.

E. Will not create excessive additional requirements at public cost for public facilities or services.

The Commissioners agreed with the finding.

Motion by Commissioner Norton, supported by Commissioner Ward, to adopt the resolution of approval for CUP 06-16 State Street Crossing-Outdoor Seating. (Attachment #3)

ROLL CALL:

YES: WARD, PLISKO, LIRONES, DOWTY, NORTON
NO: NONE
ABSENT: LUNA, CONSTANT
ABSTAIN: NONE

MOTION CARRIED

6.4 CSPA 05-09 Pittsfield Auto Wash
[submitted for 180 days extension of final site plan]

Chairperson Lirones stated that this is a request for an extension to the site plan.

Commissioner Ward asked if a one (1) year extension should be granted, as is typical, instead of a one hundred eighty (180) day extension.

Planner McCoy stated that the Commission typically grants a one (1) year extension.

Dave Hughes, Vanston O'Brien, stated that they would take the one (1) year extension. He said that they are getting ready to start soon.

Motion by Commissioner Ward, supported by Commissioner Plisko, to approve a one-year extension for final site plan, CSPA 05-09 Pittsfield Auto Wash.

MOTION CARRIED

6.5 CSPA 06-16 Carpenter Crossings
[submitted for final site plan]

Planner McCoy reviewed the report. She said that this site is in a C-2 zoning district. She reviewed Planner Schmult's report and stated that information is needed on the plans and this can be handled administratively. She reviewed the Engineering report. She said that there is a cross-access easement that needs to be dedicated. She said that the engineers wanted specific language included in the easements. She said that there is some contamination onsite. She said that the report called for more information regarding the contamination be provided along with a due care plan for the mitigation of the contaminated soil.

Commissioner Ward asked about the lighting and photometric plan and what the lighting consultant is asking for.

Planner McCoy stated that these issues could be handled administratively.

Commissioner Dowty asked what the extent of the contamination is.

Planner McCoy stated that the extent is not yet determined. She said that the applicant could give more information.

Tom Grubs, Rudolph Libbe Properties, stated that they had a Phase 2 environmental study done on this site. He said that the previous land owner used oils in the building. He said that there is a trench drain outside the building on the west side where they used to store drums. He said that they would assess this and excavate the site. He said that they contract for the environmental assessment of the building and removal of the asbestos.

Chairperson Lirones asked if they would be removing the asbestos before demolition.

Mr. Grubs replied yes, and stated that it is part of the permit process to get this survey done.

Chairperson Lirones stated that they might have done boat repair located here at one time.

Mr. Grubs stated that with removing the soil the due care plan will not be required.

Chairperson Lirones stated that the Genemix site had the same problems. She asked if the Fire Department would be using the buildings for training.

Mr. Grubs stated that they have to have an assessment done. He said that they would talk to the Fire Chief and see if the timing works out.

Commissioner Ward stated that the Land Development Standards require a professional engineer to stamp the plans not a landscape engineer. He asked that in the next submittal a professional engineer will stamp the plans. He asked if the exterior lights would be pointed downward.

Lauren Casanova, Bowers and Rein, replied yes.

Commissioner Ward asked about the fabric for the proposed awnings and if it would withstand the weather.

Ms. Casanova stated that they are confident in what they are using.

Annie Wang, Bowers and Rein, stated that the awnings would eventually deteriorate. She said that they want it to look good and maintain a clean looking building. She said that the awnings would be repaired or replaced as needed.

Commissioner Ward stated that he likes the look but does not like it when tenants do not improve the look of the building.

Mr. Grubs stated that this is part of the lease and there is a common area maintenance fee. He said that this fee is for landscaping, sidewalk, pavement, and building maintenance.

Commissioner Ward asked if they are using quick brick.

Mr. Grubs discussed the material and stated that it is a concrete block material that looks like brick instead of block.

Commissioner Ward asked what materials the prefabricated column cabs are.

Ms. Wang stated that they are premolded fiberglass. She said that they are very durable and easy to apply. She said that the white would be painted to complement the brick.

Chairperson Lirones asked if the Commission was ok with this.

Commissioner Norton asked what their objection is to doing it in stone.

Ms. Wang stated it would raise the cost and require structural changes. She said that they would have to change the details of the building to support it and look at what it would affect. She said that this is not a huge part of the elevation.

Commissioner Ward stated that the maximum pole height is twenty-five (25) feet for lights in the parking lot.

Ms. Wang stated that the poles are 22.5 feet with a thirty (30) inch base.

Chairperson Lirones asked if these are full cut-off fixtures.

Ms. Wang replied horizontal burn fixtures. She said that they are a horizontal burn that stops where the fixture stops and shoots downward.

Chairperson Lirones asked about the translucent white inserts on the wall-mounted lights.

Ms. Wang stated that this is a lamp and it is directed downward and there is an accent on the face, and light shines through the translucent insert.

Chairperson Lirones stated that the Township typically want wall wash lighting.

Commissioner Ward stated that he is worried it will set a precedent.

Chairperson Lirones asked if they could suggest a different fixture without a translucent panel. She asked about the air conditioning unit.

Ms. Wang stated that there is no equipment proposed on the ground. She said that the trees would mature to create a visual block.

Commissioner Ward stated that the hardwood trees would offer no screening six (6) months out of the year.

Chairperson Lirones stated that they should add in conifer trees for future screening.

Michael Rein, Bowers and Rein, stated that they could put in a cluster. He said that there is no opportunity to move them in and out much. He said that he would like to group them because they are not as strong individually as canopy trees. He said that it would be at the expense of four (4) or five (5) trees to group them in there. He said that when the other property is redeveloped they will have there own ten (10) foot buffer.

Commissioner Ward asked if the landscape islands would be shredded mulch.

Mr. Rein stated that the cross hatching has to do more with the interior landscape requirements. He said that there would be two (2) islands that would have the wood chips and the rest are lawn.

Chairperson Lirones asked if there would be a ten (10) foot concrete pathway on Carpenter Road.

Mr. Rein replied yes.

Chairperson Lirones asked how many canopy trees are proposed because it does not add up. She said that they do not accept ornamental trees for canopy trees unless there are a lot more onsite. She asked if a couple more canopy trees could be added.

Mr. Rein stated that Michael Bickel, Township engineer, asked that the dedicated easement for cross-access be shown. He said that the report asks for it to be dedicated by the time they receive a building permit. He said that this site is now owned by a construction company and if dedicated now could have cement trucks coming through their site. He said that they would be glad to enter into the language now and when the site is redeveloped they enter into the easement.

Chairperson Lirones stated that the easement issue would be worked out internally.

Motion by Commissioner Ward, supported by Commissioner Plisko, to approve final site plan CSPA 06-16 Carpenter Crossings with the following conditions:

That the applicant revise and submit four (4) complete sets of the final site plan for administrative review that:

- 1. Address all issues in the Township Engineer's report dated February 9, 2007.**
- 2. Address all issues in the Township Planning Consultant's site plan review report dated February 1, 2007.**
- 3. Address all issues in the Zoning Review dated February 7, 2007.**
- 4. The applicant must submit an environmental plan that satisfies the requirements in the Township Engineer's report Item 16.**
- 5. Address changes to lighting fixtures and the addition of four (4) canopy trees as discussed at the Planning Commission meeting of February 15, 2007.**

MOTION CARRIED

6.6 CSPA 06-12 Advance Auto
[submitted for preliminary site plan]

Director Fowler reviewed the report. He said that the plan complies with the floor area, net lot coverage, setback, and transition strip requirements. He said that the site meets parking and loading requirements. He said that there are no wetlands onsite. He said that the location of the driveway is being worked out with the WCRC. He said that they have to come up with a location that is acceptable to the WCRC.

Commissioner Ward discussed getting Home Depot to agree to shared access and he asked if this has happened.

Director Fowler stated that one condition from the WCRC is that they have to “enter into a shared access agreement with the Road Commission to interconnect to the northerly commercial approach should the opportunity become available in the future.” He said that Planner Schmult’s report indicates that the plan is in compliance. He discussed the vehicular circulation issues. He said that the driveway is currently shown at thirty-nine (39) feet wide with two exit lanes and one entry lane. He said that the entry lane is blocked by the parking lot islands and is no longer continuous. He said that the Township guidelines usually require entry lanes to be continuous. He said that delivery trucks or WB-50 trucks would have to occupy both exit lanes. He said that this is usually not permitted because a vehicle in either exit lane would block entry to the site and cause a traffic backup on the road. He said that an exiting truck would turn into the inner southbound lane. He said that they would be more concerned if they had multiple tenants proposed in the building. He said that tree protection fencing should be located at the limits of grading. He said that woodland and heritage tree replacement is required. He reviewed the engineering report. He discussed the retaining wall and stated that the 1:4 slope was exceeded.

Chairperson Lirones asked about the retaining wall and citing it in the motion. She said that they were not able to save the oak trees in the middle of the site although they were able to save some of the buffering.

Commissioner Dowty asked if there were exceptions to Planner Schmult’s recommendation on vehicular circulation.

Director Fowler stated that Planner Schmult is not giving a solid recommendation one way or the other.

Commissioner Dowty asked what is staff recommending.

Chairperson Lirones stated that the Township met with the WCRC. She said that there are issues with the trucks crossing over the lanes. She said that this was acceptable to the WCRC. She said that this is the only location for the driveway and it had previously been moved to the north because of sight distance issues. She said that there is no other way to lay out the islands and make the parking lot work.

Motion by Commissioner Ward, supported by Commissioner Plisko, to approve preliminary site plan CSPA 06-12 Advance Auto with the condition that the following be addressed in the final site plan:

- 1. All issues in the Township Engineer’s report dated February 9, 2007.**
- 2. All issues in the Township Planning Consultant’s site plan review report dated February 1, 2007, recognizing that certain conditions of the site do not allow for resolution of the issues raised in Item 4.02.**
- 3. All issues in the Zoning Review dated February 5, 2007.**

MOTION CARRIED

7.0 New Business

- 7.1 CUP 07-02 Nanocerox**
[submitted for a conditional use permit]

Item 7.1 of New Business moved to follow Item 5.1 of the Public Hearing.

7.2 RZ 03-01 Platt Road Condos (Blue Heron Pointe)
[submitted for a major/minor change to the PUD]

Timothy Meagher, Centex, stated that they are designing the building exterior to match with the same materials.

Director Fowler stated that this is a request for an amendment to the layout plan. He said that the rezoning was approved November 28, 2003. He said that the PUD consists of eighteen (18) buildings with six (6) townhouse buildings in each unit. He said that the site is 27.1 acres with 5.99 units per acre. He said that the change would be for twelve (12) units located in buildings eight (8) and thirteen (13). He said that they would like to allow these units to be in a single building with six (6) one-story units stacked on top of six (6) one-story units. He said that there would be a shift of the buildings to the north of the proposed single building and relocation of seven (7) guest parking spaces. He said that this meets building separation requirements. He said that the Commission has to determine if this is a major or minor change as specified in the Zoning Ordinance. He reviewed the criteria for a major and minor change.

Mr. Meagher stated that the current market conditions are weak. He said that they have one hundred twenty-four (124) units with three (3) different floor plan options. He said that this change would offer two (2) more types of housing for people. He said that if this is determined to be a major change the process would be lengthy and they would not want to go forward with the request. He said that if this were a minor change it would liken the opportunity to increase their sales. He said that this does not make many changes to the requirements. He said that as they looked at the site plan there was only one spot that they could make the proposed changes. He said that this is solely a marketing issue and they have not sold any units in the past few months.

Commissioner Dowty stated that the change in market conditions and more variety in the floor plans is what they stated in their letter as being the purposes of this change. He asked how this change would help them in the current market.

Mr. Meagher stated that the proposed units are ranch style units and many people like this. He said that the other units have three (3) to four (4) sets of stairs and some people are looking for ranch style units with no stairs.

Commissioner Dowty asked if when someone is looking for a ranch style unit, they are not available in the current development.

Mr. Meagher replied that there are none.

Commissioner Dowty discussed the change in use or character of the development.

Mr. Meagher stated that architecturally the buildings are the same. He said that they would be two (2) stories and the roof pitches would be high and would look approximately the same.

Commissioner Dowty asked how the Commission could ensure that they would match the original concept.

Mr. Meagher stated that they would match the exact materials and architectural design.

Commissioner Dowty asked if the Commission could look at the elevations.

Mr. Meagher stated that they would have to put a lot of money into the drawings. He said that they could present elevations of these units in other areas without the same materials shown.

Commissioner Ward stated that the footprint is deceiving. He said that he is not sure if there is a change in the character of the façade.

Mr. Meagher stated that they would not take their multi-million dollar development and put in something that does not match.

Commissioner Norton stated that they are taking two (2) clusters of buildings and making them one and this seems to be a major change.

Mr. Meagher stated that they are not changing the open areas just the buildings.

Chairperson Lirones stated that this was a walkable neighborhood. She said that the residents are looking for the neighborhood feel. She said that the change might not be enough units for it to matter.

Commissioner Ward asked how these units are going to stand out because he has a hard time visualizing it.

Chairperson Lirones stated that she has been told that no one uses the front door and the court yard area.

The Commission reviewed the findings for a major change:

1. Change in concept of the development.

The Commissioners agreed that the proposal does not change the concept of the development.

2. Change in use or character of the development.

Commissioner Dowty stated that he could see how it could change the original concept of the development.

Chairperson Lirones stated that they are only changing this one area.

Mr. Meagher stated that there are no other areas that would be changed.

Chairperson Lirones stated that this is one small area of a one hundred twenty-four (124) unit complex.

The Commissioners agreed that the change does not change the character or use of the development.

3. Change in type of dwelling unit as identified on the approved area plan.

Commissioner Ward stated that this would be the same type of unit. He said that there are other areas in the Township where the elevations are not continuous within a development. He said that only the elevation is changing.

Chairperson Lirones stated that this is not an identical elevation, but it might be the same type of unit.

Commissioner Norton asked if the second story units would have a garage.

Mr. Meagher stated that there were be two (2) single garages.

Commissioner Ward stated that the current units have single garages.

The Commissioners agreed to look at the drawings, to be brought to the next meeting by Mr. Meagher.

4. Increase in the number of dwelling units (density).

The Commissioners agreed this is not applicable to the proposed change.

5. Increase in non-residential floor area of over five (5) percent.

The Commissioners agreed the change does not increase the floor area.

6. Increase in lot coverage or FAR of the entire PUD of more than one (1) percent.

Chairperson Lirones asked if the lot coverage of the development can increase.

Director Fowler replied yes.

The Commissioners agreed that this does not occur.

7. Rearrangement of lots, blocks, and building tracts.

Chairperson Lirones asked if the shape that the units sit on is identical.

Mr. Meagher replied yes.

Chairperson Lirones asked if the driveways stay the same.

Mr. Meagher replied yes.

8. Change in the character or function of any street.

The Commissioners agreed that this does not change the character or function of any street.

9. Reduction in land area set aside for common open space or the relocation of such area(s).

Commissioner Ward stated that the open and common space is in the back. He said that the Commission went through great pains to preserve this area.

Mr. Meagher stated that the open space was between the buildings and now the same amount of open space is at the edge of the property line.

Chairperson Lirones stated that the private open space would be changed but not the common open space.

The Commissioners agreed that the finding does not apply because there would be a change in the private open space not the common open space.

10. Increase in building height.

The Commissioners agreed that the finding does not apply.

Chairperson Lirones stated that the guarantee that only this one area would change makes it a minor change.

Commissioner Ward stated that based on the Commission's discussions and the opinions of Section 52.12 C he believes this would be a minor change.

Commissioner Dowty asked that if this change were made would the applicant want to change the other units too.

Mr. Meagher stated that this is the one and only logical place to do this. He said that he could not do this anywhere else without having to change the parking spaces provided.

Chairperson Lirones stated that any further change other than this would result in a major change. She said that the Commission still needs to see what the buildings will look like. She said that she was not worried about setting a precedent because it is a minor part of the entire development. She said that the Commission is not allowing a change of the whole development.

Mr. Meagher asked the Commission exactly what they are looking for in the elevations.

Chairperson Lirones stated that they should take pictures of all four (4) sides of a model unit like the one proposed.

Commissioner Dowty stated that staff should check the original site plan to make sure that nothing is inconsistent between the plans.

Motion by Commissioner Ward, supported by Commissioner Plisko, to postpone action on RZ 03-01 Platt Road Condos (Blue Heron Pointe), until March 1, 2007, and direct the applicant to provide photographs of all four (4) building faces to review for Section 52.12 (c) 3.

MOTION CARRIED

8.0 Planner's Report

Director Fowler announced the promotion of Suzanne McCoy from Assistant Planner to Associate Planner.

Director Fowler discussed the non-motorized plan for Washtenaw County and handed out information to the Commissioners. He discussed the Malletts Creek Association Watershed recommendations.

9.0 Chairperson's Report

None.

10.0 Commissioner's Report

Commissioner Ward thanked Director Fowler for the ZBA email reminder. He said that the ZBA members stated they would attend a Planning Commission meeting, and one ZBA member was out of the country, one member did not show up, and one member resigned.

11.0 Approval of Prior Minutes

11.1 Minutes of February 1, 2007

No action taken.

12.0 Adjournment

Motion by Commissioner Ward, supported by Commissioner Plisko, to adjourn the meeting.

MOTION CARRIED

Chairperson Lirones adjourned the meeting at 10:34 p.m.

s/Wilma Luna, Secretary

March 1, 2007

(Attachment #1)

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF APPROVAL
GLENCOE CROSSING OUTDOOR SEATING
C.U.P. #06-14**

WHEREAS, an application for a Conditional Use Permit to allow outdoor seating in a C-2 district was received from Washtenaw McKinley Commercial LLC on October 26, 2006, and

WHEREAS, the Pittsfield Township Planning Commission held a public hearing on this matter on November 16, 2006, and received no comments; and

WHEREAS, the Commission reviewed the site plan and application received by the Township for this use and per the requirements of Section 50.06 of the Township Zoning Ordinance it finds the following:

- A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance** because the proposed use is in accordance with the general objectives of the Ordinance and the addition of outdoor seating would be an appropriate accessory use in the C-2 zoning district.
- B. Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity** because the proposed outdoor seating would be appropriate with the surrounding area and a site plan was developed to provide an area to accommodate the use.
- C. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service** because this site is adequately served by public services, and the approval of the use does not appear to place any additional burden on these services.
- D. Will not be hazardous or disturbing to existing or future neighboring uses.**
- E. Will not create excessive additional requirements at public cost for public facilities or services.**

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Township Planning Commission hereby approves CUP #06-14 Glencoe Crossing Outdoor Seating, subject to the following conditions:

1. Compliance with the site plan, CSPA 06-23.
2. Maximum number of outdoor seats shall not exceed 12.

(Attachment #2)

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF APPROVAL
GLENCOE CROSSING DRIVE-THROUGH
C.U.P. #06-15**

WHEREAS, an application for a Conditional Use Permit to allow a drive-through in a C-2 district was received from Washtenaw McKinley Commercial LLC on October 26, 2006, and

WHEREAS, the Pittsfield Township Planning Commission held a public hearing on this matter on November 16, 2006, and received no comments; and

WHEREAS, the Commission reviewed the site plan and application received by the Township for this use and per the requirements of Section 50.06 of the Township Zoning Ordinance it finds the following:

- A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance** because the use is in accordance with the general objectives of the ordinance and there are other drive-throughs in the general vicinity.
- B. Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity** because the surrounding uses are compatible with the proposed use of this site and a site plan was developed and reviewed to ensure the drive-through will be designed to function properly on the site.
- C. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service** because this site is adequately served by public services, and the approval of the use does not appear to place any additional burden on these services.
- D. Will not be hazardous or disturbing to existing or future neighboring uses.**
- E. Will not create excessive additional requirements at public cost for public facilities or services.**

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Township Planning Commission hereby approves CUP #06-15 Glencoe Crossing Drive-Through, subject to the following condition:

1. Compliance with the site plan, CSPA 06-23.

(Attachment #3)

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF APPROVAL
STATE STREET CROSSING OUTDOOR SEATING
C.U.P. #06-16**

WHEREAS, an application for a Conditional Use Permit to allow outdoor seating in a C-2 district was received from Atwell-Hicks on December 18, 2006, and

WHEREAS, the Pittsfield Township Planning Commission held a public hearing on this matter on February 1, 2007, and received no comments; and

WHEREAS, the Commission reviewed the site plan and application received by the Township for this use and per the requirements of Section 50.06 of the Township Zoning Ordinance it finds the following:

- A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance** because the proposed use is in accordance with the general objectives of the Ordinance and the addition of outdoor seating would be an appropriate accessory use in the C-2 zoning district.
- B. Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity** because a site plan was developed to provide an area to accommodate the use and the design of the development would be appropriate with the existing and intended character of the surrounding area.
- C. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service** because this site is adequately served by public services, and the approval of the use does not appear to place any additional burden on these services.
- D. Will not be hazardous or disturbing to existing or future neighboring uses.**
- E. Will not create excessive additional requirements at public cost for public facilities or services.**

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Township Planning Commission hereby approves CUP #06-16 State Street Crossing Outdoor Seating, subject to the following conditions:

1. Compliance with the site plan, CSPA 06-09.
2. Outdoor seating shall be limited to the area designated on the site plan.
3. Maximum number of outdoor seats for the entire development shall not exceed 40.
4. Outdoor seating area should be delineated with planters rather than fences.
5. Prior to the establishment of any restaurant use, a tenant must provide information regarding seating capacity of both indoor and outdoor seating to the zoning administrator in the form of a Zoning Compliance Application to ensure there is adequate parking at that time.