

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES
Tuesday, May 15, 2007 - 7:00 P.M.

A meeting of the Algoma Township Commission was held on Tuesday, May 15, 2007, at 7:00 P.M. The meeting was held at the Algoma Township Hall located at 10531 Algoma Ave., Rockford, MI 49341.

Chairman Witham called the meeting to ORDER at 7:00 P.M. and led in the Pledge of Allegiance to the Flag.

PRESENT: Chairman Witham, Vice-Chairman Newberger, Secretary Poolman, Members Bigney, Ensley, Heminger, and Lecceadone.

Also Present: Supervisor Hoemke, Site Plan Review Committee Members Bates and Sjogren, Township Attorney Brown, Township Engineer Bruggink, and 4 citizens.

APPROVAL OF MINUTES:

Minutes of the April 17, 2007, meeting -

Vice-Chairman Newberger noted on Page 3, 1st paragraph, last sentence, he didn't believe the reference to the "6' X 6' foundation" was correct. It was decided to amend the sentence to read "...would the Commission put a height limit on the log storage area to whatever he could fit on that foundation pad".

Vice-Chairman Newberger motioned to APPROVE the minutes of the April 17, 2007, meeting as amended, seconded by Member Bigney. The motion PASSED.

Acceptance of the Site Plan Review Committee's reports - There were no reports given.

AGENDA APPROVAL:

Review Committee Member Sjogren reported Jay Barnes with Encore was present to discuss Site Plan #0602 that the Planning Commission revoked last month. She said the Review Committee also had a question regarding Site Plan #0506 M.H.S. Auto Repair. These were added to the agenda under Public Comments. She stated they also were submitting a Minor Change report with a question for Site Plan #0201 Elder's Saw Mill for their building that burnt down this past month. Site Plan #0201 was added to New Business.

Vice-Chairman Newberger motioned to APPROVE the agenda as amended, seconded by Member Bigney. The motion PASSED.

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PUBLIC COMMENTS:

Site Plan #0602 Encore - Steve Witte with Nederveld was present along with Jay Barnes of Encore. Steve addressed the Commission explaining this was the project that the current bakery is located on 10 Mile Rd. He said this was approved by the Commission and since that approval they have been working with Meijer for the water and sewer access which they now have obtained. He said they also had to work with the bakery outlet to relocate them and that took longer than anticipated. He said the project is ready to go now but Encore was notified their approval was revoked because the year had lapsed. He asked if there was any concession that could be made not to have to go back through an approval process again.

Chairman Witham agreed that it took some time to negotiate with Meijer regarding the water and sewer issue. He asked where the bakery was going and when they were vacating.

Mr. Barnes stated he could not disclose that location because of privacy agreements but they were vacating depending on the meeting tonight.

Chairman Witham asked if they were asking for any changes to the revoked site plan.

Mr. Barnes stated nothing would be changed from the approved site plan.

Attorney Brown stated the ordinance says they must apply for an extension before the time runs out. He said if the Commission finds there are no changes to the plan and in their view the facts surrounding the approval have not changed, they could approve the site plan as before and rescind the revocation.

Chairman Witham stated the applicant didn't address the letters sent to them regarding asking for an extension but they were not making any changes and asked for comments from the Commission regarding this.

Secretary Poolman motioned to RESCIND THE REVOCATION so this Site Plan #0602 could move forward, seconded by Member Bigney.

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Discussion: Vice-Chairman Newberger asked what the schedule was for the project.

Mr. Barnes stated that they were closing on the property to relocate the bakery. He said they intended to do the project and the letters sent to them did sit on someone's desk, it was their fault for not responding, but they were closing the first of June and then moving dirt. He said they were eager to get going and anticipated to open the building by November or December of this year. He said having a third party (the bakery) involved was an issue and they were trying to make them happy.

The motion to rescind the revocation PASSED unanimously.

Member Lecceadone motioned to APPROVE Site Plan #0602, upon the same site plan that was approved on March 21, 2006, with the same terms and conditions from that approval, seconded by Secretary Poolman.

The motion PASSED with six in favor of the motion and one opposed.

Site Plan #0506, M.H.S. Auto -

Review Committee Member Sjogren reported this site plan has not been completed but was passed onto a new owner, Ray Nielsen. She has talked with Mr. Nielsen regarding the items not completed and he was unaware these needed to be done. She said he has agreed to scarify the retention pond and plant rain garden seeds, screen the dumpster, and will add the extra paving to the parking lot. She said he did explain to her that it would be impossible to put in the total 20 parking spaces approved for the site because the layout of the existing cross access drive changed but he could do 19 parking spaces.

Vice-Chairman Newberger motioned to APPROVE as a Minor Change to Site Plan #0506, one less parking space, allowing 19 spaces instead of 20 spaces as previously approved for this site, seconded by Secretary Poolman. The motion PASSED unanimously.

CORRESPONDENCE SENT & RECEIVED:

Building Inspector's report - This was reviewed.

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found the parking calculations were in error. The total new spaces provided were actually 64 spaces instead of 61 and that gave a total 192 spaces provided which meets township requirements.

Member Lecceadone asked how they would dress-up the existing dumpsters.

Mr. Witte said they were redoing the gates and making them look nice to match the new building.

Engineer Bruggink reported when they met last month there were two issues. The hydraulic grade and the piping and catch basin rims. He said these have been revised. He said the percolation rate was too aggressive before but he is now comfortable with what has been done until he went across the street and looked at what was done at the Lake Michigan Credit Union site. He said he looked at their pond and it was still holding rain water after 8 to 10 days. He asked Mr. Witte why that pond was not working and asked him to look into the outlet on the site. He said this site has the detention pond outlets to the north neighboring parcel where B & R Trailers are located by way of an overflow spillway. He said that does concern him and wants the applicant to address that.

Mr. Witte said he did look into the Lake Michigan Credit Union yesterday and sent an e-mail. He said they found a lot of sediment and a silt/clay layer. He talked with the contractor regarding how they took initial soil borings and originally didn't go deep enough but they now have dug a deeper hole and hired perk tests. He said the site still isn't stable but found the soils brought in were packed too tight and they are still receiving water from the big building to the north. He said after reviewing the Soil Survey Map, this soil is different from the Algoma Centre site.

Engineer Bruggink asked how they would make sure not to compact these ponds.

Mr. Witte said they have a good contractor at this site.

There was more discussion regarding the outlet and silt.

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Engineer Bruggink said, in summary, he said the storm water control plan would work as long as it doesn't get compacted or silted up. He said he still questions the outlet but is comfortable with working that out with the applicant and possibly the neighbor to the north.

Vice-Chairman Newberger motioned to APPROVE Site Plan #0705, dated May 11, 2007, with the conditions that all dumpsters on site would be properly screened, the parking lot re-lined and any other outstanding issues addressed under the Site Plan Review Committee's report of March 20, 2007, and approval from the Township Engineer regarding the Storm Water Control Plan, seconded by Secretary Poolman.

Discussion: Member Lecceadone asked if there were specifics on the dumpster screening.

Vice-Chairman Newberger stated the Commission hasn't specified dumpster screening in the past but they could do better.

Mr. Witte said the applicant had talked about dressing them up but would want flexibility to do so.

After further discussion, Vice-Chairman Newberger AMENDED the MOTION to include the dumpsters would be made out of a sturdy material and maintained.

The motion PASSED unanimously.

NEW BUSINESS:

ELDERS FOREST PRODUCTS MINOR CHANGE TO AN APPROVED SITE PLAN -

Site Plan Review Committee Members Bates and Sjogren submitted a report and site plan dated May 11, 2007, reporting a replacement building to the site after their building burnt down as a Minor Change but also asking a question regarding a Future 60' X 50' Pole building addition.

Vice-Chairman Newberger stated he agreed with the Minor Change but was interested when a business was planning on expanding and how it was going. He said he would want some feedback from the applicant when he decided to put the addition on the building.

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Member Bigney agreed he needed the replacement building now and considered it a Minor Change.

Chairman Witham said he didn't believe the Future 60' X 50' should be considered a Minor Change.

Member Lecceadone said he was OK with the first part, the replacement building.

Chairman Witham stated the consensus of the Commission was to have the applicant come back with the addition but he didn't need to produce a full blown site plan. Just take the drawing he has and put it on there.

Vice-Chairman Newberger said he would be concerned with how the storm water control was going with this site and they could address any issues at that time.

Chairman Witham agreed and added that the Commission was not here to hinder a business but still there are issues that should be addressed.

ON-GOING BUSINESS:

Tickler File -

1-Year Tickler File: Was reviewed and is attached to and made a part of these minutes.

Vice-Chairman Newberger motioned to EXTEND Site Plan #0509, Onekatucky Holdings for one year, seconded by Member Heminger. The motion PASSED.

Master Plan: Chairman Witham stated he would set a meeting with the sub-committee for the end of this month.

Ordinance Amendments -

Wrecker Service & Impound Lot language:

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Attorney Brown provided the new ordinance language for Impound Lots as a Special Land Use.

Review Committee Member Bates stated he didn't think Impound lots should be allowed in I-1 Light Industrial. He didn't believe it was the intention of that zoning but it was suppose to be a zone that had special visual requirements and not look like a junk yard. He said the zone requires all to be indoors and there are special building requirements.

Supervisor Hoemke stated that is where we allow it now.

Vice-Chairman Newberger said if they shouldn't be allowed in I-1 Light Industrial then maybe they shouldn't be allowed in the C-2 Zone because that zone has customers coming and going and it would in his opinion be less appropriate.

Review Member Bates stated it was meant to be a special zone from the start.

Member Lecceadone stated he understood what Review Member Bates was referring to; it was intended to be a specialized industrial zone.

Supervisor Hoemke said it will be a Master Plan issue. He said no one is building heavy industrial anywhere and we need to look at broadening or combining the Light Industrial. He said that is where today's business is going. The heavy industrial is closing up and we need to have the Master Plan sub-committee look at this.

Member Bigney stated he was looking at more how many vehicles could be allowed.

Member Lecceadone stated he wanted to see it as a Special Use and then they can discuss conditions and limitations on them every time.

Secretary Poolman said the ones he sees looked more like junk yards.

Vice-Chairman Newberger questioned storm water management especially if they were next to residential neighborhoods.

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Attorney Brown stated a Special Use would have all the site plan requirements and standards such as fencing, lighting, storm water control, etc. that would apply to a regular site plan but a Special Use would supersede any lesser requirements or the Commission can also turn down a proposal if they found it was inappropriate.

Vice-Chairman Newberger motioned to SET PUBLIC HEARING for next month, June 19, 2007, seconded by Member Bigney. The motion PASSED.

Representative Reports -

Township Board: Member Bigney reported he wasn't present at the last meeting.

Board of Appeals: Secretary Poolman reported they approved one and denied one. Noting for the record, a setback variance was granted for an addition to a non-conforming house and a variance was denied for not requiring an existing private street to be paved if the sixth parcel were to be added.

Any Other On-Going Business -

NEXT MONTH'S MEETING: Tuesday, June 19, 2007 - 7:00 P.M.

ADJOURNMENT:

Member Bigney motioned to ADJOURN the meeting at 8:22 P.M. The meeting was ADJOURNED.

Jack Poolman, Secretary

Julie M. Sjogren, Recording Secretary