

SUMMIT TOWNSHIP PLANNING COMMISSION

July 17, 2012

MEMBERS PRESENT: Raymond McQuillan, Chairman; Robert Simmons, Vice Chairman; Jack Shelby, Secretary; Gordon Heins, Township Board Liaison; Natalie Stopyak, Recreation Planning Commission Liaison; George Gancsos, Zoning Board of Appeals Liaison; Stephen Artz; Richard Erhardt; Allen Hooper and John Worden, Summit Township Zoning Administrator.

MEMBERS ABSENT: None

The meeting was called to order by R. McQuillan, Chairman, on Tuesday, July 17, 2012 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

A motion was made by G. Heins, supported by G. Gancsos, to approve the May 15, 2012 minutes as written. The motion carried unanimously.

Case #12-07-0004 – Site Plan Review – 825 Horton Road – Demo Old and Construct New – Ladwig Brothers Holdings, LLC, Applicants/Owners

A public hearing was held at the request of Ladwig Brothers Holding, 3522 Scheele Drive. The applicant is proposing to construct a Hot Tub Store on the property located at 825 Horton Road. The parcel is zoned Local Commercial (C-1). The Zoning Board of Appeals granted the applicants variance request for a road frontage buffer setback of fifteen point seven (15.7) feet at the July 12, 2012 meeting. Since the meeting the site plan has been revised.

Mr. Jack Ripstra, of 2535 Spring Arbor Road, from Ripstra & Scheppelman Civil Engineering & Land Surveying, spoke on behalf of the applicant. Changes were made to the site plan in response to issues that were raised by Josephine Hill, of 799 Park Road, at the Zoning Board of Appeals meeting. The site plan updates include the property to have one ingress/egress on Horton Road and remove the ingress/egress on Park Road. The new Hot Tub Sales store will be closer to the front of the property to allow for driving access around the building and the parking lot will be smaller to allow for the thirty six (36) feet wide drive.

A motion was made by A. Hooper, supported by S. Artz, to recommend to the Township Board approval of the Site Plan for the demolition of the existing structure and construction of the 3,600 square feet Hot Tub Sales, storefront located on property at 825 Horton Road, contingent upon the recommendations of and compliance with the requirements of the Jackson County Road Commission, Jackson County Drain Commissioner and the Summit Township Fire Department. The motion was carried unanimously.

Written request by George Pierson to allow Contract Zoning for 3400 block Spring Arbor – Farmers Market and Coffee Kiosk (Old MDOT Park)

At the May 5, 2012 Planning Commission meeting the commission recommended to the Township Board disapproval of George Pierson's application to rezone the property located in the 3400 block of Spring Arbor Road from Suburban Residential (RS-2) to Local Commercial (C-1) for a coffee kiosk. Before the rezoning application could be voted upon by the Township Board on June 12, 2012 George Pierson withdrew his application. Since the application was withdrawn, George Pierson is able to request Contract Zoning for the property. George Pierson, who was not present at the meeting, has submitted a letter to the Township requesting "Contract Zoning."

The Township has a provision for Contract Zoning in the Zoning Ordinance which will be used to process this request.

Prior to this request the Township had received only one other contract zoning request and, at that time, the State Contract Zoning Law was used.

A motion was made G. Heins, support by J. Shelby, to accept George Pierson's request for contract zoning for the property located at the 3400 block Spring Arbor Road.

A vote was taken

Support:

R. McQuillan, R. Simmons, J. Shelby, G. Heins, N. Stopyak, G. Gancsos, R. Erhardt, A. Hooper

Deny:

S. Artz

The motion was carried.

R. McQuillan, Chairman suggested a sub-committee be created to continue dialogue with G. Pierson that consists of members from this commission. R. McQuillan suggested interested neighborhood residents would be allowed to attend these sub-committee meetings.

Sub-Committee: S. Artz, R. Erhardt, J. Shelby.

Kevin Bowman (Lumen Christi); Allen Price (neighbor) requested to be notified when the sub-committee would be meeting.

A motion was made by R. McQuillan, Chairman, supported by G. Gancsos, to form a sub-committee of S. Artz, R. Erhardt, J. Shelby. A Lumen Christi representative and neighbors to the property would be allowed to attend the meetings but are not representatives of the township and are not required to attend the meetings. The motion carried unanimously.

J. Shelby said he would contact the Lumen Christi representative and one neighborhood member regarding sub-committee meeting dates and that one neighborhood member would then notify the remaining interested neighborhood members of these meetings.

Public Comment:

Kevin Bowman, of 3416 Northland, member of the Lumen Christi Policy Committee, requested that he or a representative be allowed to attend the sub-committee meetings.

Dr. Susan Dombrowski, of 3634 Spring Arbor Road, supports new business and economic growth but opposes the rezoning. She read a letter that she wrote on June 12, 2012 which addressed her concerns on increased traffic, light pollution, additional road signs, the applicant selling the adjacent property, increased vandalism and flood plain issues. She also commented on the current state of the property, calling it neglected and an eyesore with the over grown grass and trees that had been cut down.

R. McQuillan, Chairman, discussed the townships ordinance on noxious weeds, and informed residents they can submit a noxious weeds complaint to the township office.

Allen Price, of 3632 Spring Arbor Road, is opposed to the application, and supports all points made by Dr S. Dombrowski. He added that both Dr Susan Dombrowski and himself have lost their mailboxes at least once this year because of careless drivers. Through further research on the property he has discovered it has been nicknamed "Pervert Park" because individuals had been lurking on the property watching the high school students participate in outdoor activities. The County Sheriff has been called to this location for loitering complaints. Mr. Price stated he is awaiting the number of complaints from his FOIA request.

Tom LeGarie, of 2505 Robinson Road, owns the property behind the soccer field that is adjacent to the applicant property. He is opposed to any changes in zoning and supports retaining the existing Suburban Residential (RS-2) zoning.

Steve Shiley, of 2650 Robinson Road, opposes the rezoning and feels a Coffee Kiosk is not an appropriate use of the property. He commented the increased traffic will change the ingress and ingress patterns and that it will need to be dealt with.

Judith Medow, of 2850 Robinson Road, opposes the rezoning and commented on traffic concerns with the corner and M-60 drivers running red lights and the high number of accidents.

R. McQuillan, Chairman, stated that the Contract Zoning request is in the preliminary stages. The action taken tonight is only to accept or deny G. Pierson's request, and no other action will be taken. A sub-committee will meet several times before the Planning Commission meets again. The sub-committee can make observations, but does not have the ability to grant or deny requests on behalf of the Township. The recommendations of the sub-committee will be brought before the Planning Commission to be voted on.

J. Worden stated that if a contract is approved a site plan review would be required.

A motion was made by G. Heins, supported by R. Simmons, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Jack Shelby, Secretary
Summit Township Planning Commission