

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION AGENDA  
Wednesday, February 10, 2021 – 7:30 PM  
REMOTE MEETING –AGENDA**

To reduce the spread of COVID-19, protect the public health, and provide essential protections to Van Buren Township residents; this Van Buren Township's scheduled regular Planning Commission meeting will be conducted remotely.

- Join by weblink: <https://zoom.us/j/95116460005>
- Or dial in by phone: 1 1 929 436 2866
- Webinar ID: 951 1646 0005

For instructions on [how to join a Zoom meeting, make a public comment, ADA information, and virtual meeting compliance from the State please click here](#).

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**MINUTES:**

**ITEM #1:** Approval of minutes from the regular meeting of January 27, 2021.

**CORRESPONDENCE:**

**PUBLIC HEARING:**

**NEW BUSINESS:**

**ITEM # 1:** **CASE 21-002 – TREE REMOVAL PERMIT FOR 39670 ECORSE ROAD**

**DESCRIPTION:** THE APPLICANT, JAMES HAMANN OF WASTE MANAGEMENT OF MICHIGAN, INC. SEEKS A PERMIT FOR TREE REMOVAL ON APPROXIMATELY 118 ACRES OF PROPERTY.

**LOCATION:** 39670 ECORSE ROAD. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF ECORSE ROAD BETWEEN I-275 AND HANNAN ROAD.

**ACTION ITEMS:**

- A. Presentation by the Applicant.
- B. Presentation by Township Staff.
- C. Planning Commission discussion.
- D. Planning Commission considers tree permit approval.

## **GENERAL DISCUSSION AND UPDATES**

## **ADJOURNMENT:**

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION - VIRTUAL MEETING ON ZOOM  
January 27, 2021  
MINUTES - DRAFT**

**Prior to the start of the meeting, the public was given instructions on how to take part in the meeting.**

Chairperson Thompson called the meeting to order at 7:31 p.m.

**ROLL CALL:**

**Present:** Jahr, Cullin, Kelley, Atchinson, Budd, Franzoi and Thompson.

**Excused:** None.

**Staff:** Director Power, Director Best and Secretary Harman.

**Planning Representatives:** McKenna Associate, Vidya Krishnan and Fishbeck Associate, Paul Kammer.

**Applicant(s) in Attendance:** Project Manager, Julian Beglin of H.F. Lenz Company, Sal Patrico and Dennis Kelly of Project Sycamore.

**Audience:** Five (5).

**APPROVAL OF AGENDA:**

Motion Kelly, Atchinson second to approve the agenda of January 27, 2021 as presented.

**Roll Call:**

**Yeas:** Franzoi, Jahr, Cullin, Kelley, Atchinson, Budd and Thompson.

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**APPROVAL OF MINUTES:**

Motion Jahr, Budd second to approve the regular meeting minutes of January 13, 2021 as presented.

**Roll Call:**

**Yeas:** Cullin, Kelley, Atchinson, Budd, Jahr, Franzoi and Thompson.

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**NEW BUSINESS:**

**ITEM #1: 19-001 – PROJECT SYCAMORE – FINAL SITE PLAN APPROVAL – EXTENSION APPROVAL.**

**THE APPLICANT, JULIAN BEGLIN, IS REQUESTING AN EXTENSION AND AMENDMENT TO A PREVIOUSLY APPROVED FINAL SITE PLAN APPROVAL FOR**

**SITE DEVELOPMENT FOR A VISITOR & VEHICLE RECEIVING CENTER BUILDING, ASSOCIATED IMPROVEMENTS, AND SITE HARDENING FOR SECURITY PURPOSES FOR A DATA CENTER USE. THE FINAL SITE PLAN WAS INITIALLY APPROVED ON APRIL 10, 2019.**

**LOCATION: 9000 HAGGERTY ROAD. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF HAGGERTY ROAD AND TYLER ROAD.**

Director Power gave a brief presentation. The application for Project Sycamore underwent preliminary site plan review and final site plan review in 2019, with final site plan approval granted by the Planning Commission on April 10, 2019. The project is a data center use with a visitor and vehicle receiving center, a variance request was granted by the BZA in 2019 for a 14-foot security wall. The project is being reviewed as an amended project with the bones of the proposal remaining the same, roughly same square footage and same concept of use. There is a 1-year expiration on site plan approvals, the Planning Commission has the opportunity to extend and amend the previously approved site plan. Because the original site plan was approved nearly two years ago, terms regarding the site plan expiration must be accounted for. The applicant was present to explain the reason for the extension and answer any questions.

Sal Patrico gave a presentation. Design began and phase 1 of construction was began in fall of 2018. One of the lines of business in the building was unable to relocate out of the space. There are several challenges in working in an occupied building, including power-ups and shutdowns. They were forced to delay Phase 1 of the project, which is the security features in the Vehicle Receiving Building and the security checkpoint in the building. As part of our North America data plan, this site serves as a backup to other sites. Threat analyses have been done which required some of the improvements and the 14' high blast wall. By the time the adequate security features were designed, pricing was impacted and value engineering options were reviewed which allow the same form and function with similar aesthetics. We got the project back on track and we are back before you to bless the changes that we made. The plans are very similar. Julian, the engineer of record, was also introduced.

Commissioners inquired how long of an extension the applicant is seeking. Director Power informed the Commission that can ask for up to two one-year extensions. Vidya Krishnan of McKenna Associates informed the Commission that a plan is considered expired only if building permits are not applied for. Project sycamore has applied for building permits, once the permits are approved in compliance with the ordinance construction will begin. Sal Patrico for Project Sycamore informed that the project start date is late February this year with the anticipated final completion of May 2022. Commissioner inquired if a 3-month extension would be long enough, the applicant agreed that it would. However due to the current COVID-19 pandemic, the Commission agreed that a 1-year extension would be in the best interest of the applicant.

No comments from the audience.

**Motion Jahr, Kelley second to grant the applicant, Julian Beglin, a 1-year extension to the final site plan approval previously granted on April 10, 2019, for site development for a visitor &**

**vehicle receiving center building, associated improvements, and site hardening for security purposes for a data center use located at 9000 Haggerty Road.**

**Roll Call:**

**Yeas: Kelley, Atchinson, Budd, Cullin, Jahr, Franzoi and Thompson.**

**Nays: None.**

**Absent: None.**

**Motion Carried.**

**ITEM #2: 19-001 – PROJECT SYCAMORE – AMENDED FINAL SITE PLAN APPROVAL.**

**THE APPLICANT, JULIAN BEGLIN, IS REQUESTING AMENDED FINAL SITE PLAN APPROVAL FOR SITE DEVELOPMENT FOR A VISITOR & VEHICLE RECEIVING CENTER BUILDING, ASSOCIATED IMPROVEMENTS, AND SITE HARDENING FOR SECURITY PURPOSES FOR A DATA CENTER USE.**

**LOCATION: 9000 HAGGERTY ROAD. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF HAGGERTY ROAD AND TYLER ROAD.**

Director Power displayed the site plan and a color rendering provided by the applicant. Julian Beglin of H.F. Lenz Company explained changes to the site plan. The site was adjusted to make it more efficient by utilizing existing parking and existing access roads and reduced the visitor parking by the Visitor and Vehicle Receiving Center (VVRC) building. The average daily employees will be 50 or less, more parking has been provided for visitors and technical maintenance than what is required. The fencing and perimeter security was described. The site will be surrounded by a new 8' high anti-climb K-12 rated fence. There will also be gravity wall structures for additional security. The applicant will be utilizing existing stormwater facilities on the site, there four bay facilities, not increasing storm water collection, actually decreasing by 1 acre of impervious area. The applicant mentioned receiving conditional approval, conditioned on receiving approval from the Wayne County Department of Public Services.

Vidya Krishnan of McKenna Associates presented her review letter dated 1-21-21 recommending the Planning Commission grant preliminary and final site plan approval for the proposed and amended site plan for Project Sycamore to be located at 9000 Haggerty Road, subject to the following conditions:

1. Approval of the reduced parking count for the site.
2. Payment into the Township tree fund for the frontage landscaping shortfall and missing replacement tree.
3. Clarification of the dumpster location near the VVRC building on the site plan.
4. Clarification regarding screen wall extension on southeast corn of VVRC building.
5. Township Engineer and Wayne County approval of drainage and utility plans.

Paul Kammer of Fishbeck Associates presented his review letter dated 1-8-21 recommending the Planning Commission grant the Sycamore project engineering and final site plan approval, based

on the engineering review of the proposed site, subject to the comments listed and in accordance with the Township's Engineering Standards manual. The applicant will be required to address the comments in the Issued for Construction Plan set prior to the preconstruction meeting being scheduled.

Fire Department review letter dated 12-29-20 recommends approval.

Julian Beglin of H. F. Lenz displayed the VVRC, fence and wall, and described the exterior façade materials.

Commissioners inquired about payment into the tree fund in lieu of planting as they understand the security, recalling that on the previously approved site plan there wasn't enough room to plant additional trees on Tyler Road. It was clarified that not enough room was available on Haggerty Road to relocate all trees and meet the site's security needs. A condition for the previous site plan to have a legend to explain architectural features was also raised. Was there a stripe on the security wall on the previously approved plan – No. Commissioners also discussed the requirement for a wing wall to conceal the southeast corner of the VVRC building. The applicant responded that the use of the fence and extensive landscaping would conceal this.

No comments from the audience.

**Motion Kelley, Jahr second to grant the H. F. Lenz Company on behalf of JP Morgan Chase preliminary and final site plan approval for an amended site plan for Project Sycamore, located at 9000 Haggerty Road, based on the analysis and subject to the conditions in the McKenna Associates review letter dated 1-21-21, Fishbeck review letter dated 1-8-21, Fire Department review letter dated 12-29-20, with specific mentions regarding the reduction of required parking count as requested, payment will be made into the Township tree fund for any shortfalls of missing replacement trees and the removal of the wing wall as discussed.**

**Roll Call:**

**Yeas: Franzoi, Jahr, Cullin, Kelley, Atchinson, Budd and Thompson.**

**Nays: None.**

**Absent: None.**

**Motion Carried. (Letters Attached)**

**GENERAL DISCUSSION:**

Director Power informed that the next Planning Commission meeting will be held on February 10, 2021, the agenda is yet to be determined. Also, there is an upcoming BZA meeting, there will be an item involving zoning interpretation of usable floor area in senior housing development and a variance for the maximum permitted lot coverage by roofed structures on an industrial property. Director Power would like to offer the Planning Commission an opportunity to provide comments, he will have all comments received summarized and sent to the BZA for consideration. A synopsis of the variance request will be sent to all Commissioners and their feedback emailed to Director Power.

**ADJOURNMENT:**

**Motion Atchinson, Budd second to adjourn the meeting at 8:47 p.m. Motion Carried.**

Respectfully submitted,

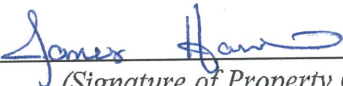
Christina Harman  
Recording Secretary

Van Buren Township

Application for Tree Removal Permit

A Tree Removal Permit is required in accordance with Section 4.45 E of the Zoning Ordinance, *Woodland and Tree Preservation*, prior to removal of landmark trees from the property.

Applicant

James Hamann	5900 Hannan Rd, Wayne, MI 48184
(Name)	(Address)
330 316-0707	734 326-9245
(Phone)	(Fax)
Property Owner	Location of Work
Waste Management of Michigan Inc.	39670 Ecorse Rd, Wayne, MI 48184
	(Address and/or parcel identification number)
	2/4/2021
(Signature of Property Owner)	(Date)

Reason for cutting (attach a separate paper if needed).

Landfill expansion area requires the removal of trees

Please see attached drawings for details.

This application must be accompanied with a Tree survey, this survey must incorporate the provisions listed in Section 4.45 E of the Zoning Ordinance.

Permit valid \_\_\_\_\_ through \_\_\_\_\_

Issued by \_\_\_\_\_ date \_\_\_\_\_

Base Application Fee	\$ 600.00
+ fee per acre of woodland	+ \$ 50.00 / acre of woodland
+ fee per regulated tree outside a woodland	+ \$ 1.75 / regulated tree
TOTAL FEE	TOTAL FEE

Application fee N/A





# MEMO

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TO: Van Buren Township Planning Commission

FROM: Dan Power– Director of Planning and Economic Development

RE: VBT 21-002 – Tree Removal Permit Review for Waste Management of Michigan

DATE: February 4, 2021

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The applicant, James Hamann of Waste Management of Michigan, is seeking approval for the removal of trees on the property located at 39670 Ecorse Road (parcel ID number 83 003 99 0003 702). Section 8.106 of the Van Buren Township Zoning Ordinance regulates woodlands and includes all relevant requirements for tree removal permits. Per Section 8.106(H)(2) of the Zoning Ordinance, the Planning Commission serves as the reviewing body for a tree removal permit request, following review and recommendation by Township staff.

The required submittals for a tree removal permit application are listed under Section 8.106(G) of the Zoning Ordinance.

The Planning and Economic Development Department and supporting consulting staff have evaluated the proposal by Mr. Hamann to remove approximately 453 individual trees and clear an additional approximately 11.5 acres of contiguous wooded area. Based on this submittal, staff have provided an initial review of the request under Section 8.106(H)(1). A typical application for a tree removal permit requires the submission of a tree survey per Section 8.106(G)(4); however, the Ordinance does allow for waivers for certain situations. Under the provisions of Section 8.106(H)(3), the applicant has requested a waiver from tree survey requirements.

Upon review of this application, Staff have verified the criteria for a waiver from tree survey requirements under Section 8.106(H)(3) have been met, with analysis and conditions as noted below:

- a. *A field investigation of the site to review and verify the accuracy of the information provided by the applicant.* Staff has performed perimeter field inspection and aerial inspection of the site to confirm location of tree clusters as noted.
- b. *Location of the proposed activity being flagged, marked or otherwise identified by the applicant on site at the time of the field investigation.* The location of the trees to be removed have been identified clearly on an accurate, scaled aerial map.
- c. *The applicant or an authorized representative of the applicant being present during such field investigation.* The applicant will meet on site if/as requested by Staff to validate the location of trees prior to the issuance of a tree permit.
- d. *Finding that the proposed activity in the area of the site for which a waiver is sought meets*

*standards set forth above.*

We find that the following standards for tree removal permit issuance have been met per Section 8.106(l) of the Van Buren Township Zoning Ordinance, with conditions as noted below:

- (1) *The protection and conservation of natural resources from pollution, impairment or destruction is of paramount concern. Therefore, all woodlands, trees and related natural resources shall have priority over development when there are feasible and prudent location alternatives on the site for proposed buildings, structures or other improvements. The applicant must consider and pursue all development options available under the Zoning Ordinance in order to preserve the woodlands and trees.* The logical and planned expansion of development in this area lends itself to trees strategically planted as buffers from adjacent land uses, but not as contiguous woodland land cover in the central area of the site. The proposed use of the site does not allow for feasible or reasonable tree preservation of quality woodlands due to the intensity of the use and site grading required. The intent of the Ordinance will be met through incorporation of greenbelt and buffer areas which will create a permanent vegetative screen around the site. Per an agreement with the Township, a 25' wide landscaped buffer must be maintained along the site's I-275 frontage and a 50' wide landscaped buffer must be maintained along the site's entire Ecorse Road frontage.
- (2) *The integrity of woodland areas shall be maintained to the greatest extent reasonably possible, regardless of whether such woodlands cross property lines.* The subject woodland area is adjacent to a 245-acre landfill site with the potential to expand. There is no feasible justification for maintaining the trees on this lot in their current location. Any expansion of the landfill will involve extensive grading as part of the use and the location of the trees on the site are not likely to survive.
- (3) *Where the proposed activity consists of land clearing, it shall be limited to designated street right-of-way, drainage and utility easements, building and driveway envelopes and other areas (such as off-street parking and loading and unloading areas) necessary for site improvements, considering the development options available under the Zoning Ordinance.* We believe the development will require grading activity on the entire site, which is inherent to the use and therefore, the entire site is deemed as being part of the development area for site improvements.
- (4) *Where the proposed activity involves residential development, the residential structures shall, to the extent reasonably feasible, be designed and constructed to use the natural features of the site.* No known residential structures are being considered at this time therefore, this standard is not applicable.
- (5) *The removal of trees for which a tree removal permit is required shall be limited to any of the following instances:*
  - (a) *When necessary for the location of a structure or site improvements and when no reasonable alternative location for the structure or improvements can be had without causing undue hardship, consideration of all development options which are available under the Zoning Ordinance.* As noted in comment 2 above, any proposed use of the site will involve

use of the entire site.

- (b) When necessary, as determined by the Township, to provide reasonable drainage upon the site and when no reasonable alternative drainage is available without the removal of the trees. Any use of the site will be required to comply with necessary standards for stormwater drainage established by Wayne County and the Township Engineer.*
- (c) When the prospective owner of the residential dwelling unit has requested the builder in writing to remove the trees in order to facilitate the homeowner making certain specified improvements which must be undertaken within twelve (12) months of the date of the certified of occupancy for the dwelling unit. Notwithstanding the foregoing, no applicant shall be denied solely on the basis that some trees are growing on the property under construction. This is not applicable.*
- (6) The burden of satisfying standards shall be upon the applicant.*

Based on our review of the proposal for tree removal approval, we recommend that the Planning Commission approve the request for a tree removal permit on the above site, subject to the following conditions:

- The applicant shall meet on site if/as requested by staff to validate the location of tree clusters prior to the issuance of a tree permit.
- A 25' wide landscaped buffer shall be maintained along I-275 frontage.
- A 50' wide landscaped buffer shall be maintained along the site's Ecorse Road frontage.
- The greenbelts shall be planted in accordance with the Township landscaping requirements.
- A tree removal permit fee of \$3,099.00 is preliminarily assessed on this application. Any required permit fee must be paid prior to any tree removals.
- Applicable policies for payment into a tree fund for tree removal per Section 8.106(J)(3) of the Van Buren Township Zoning Ordinance must be followed.

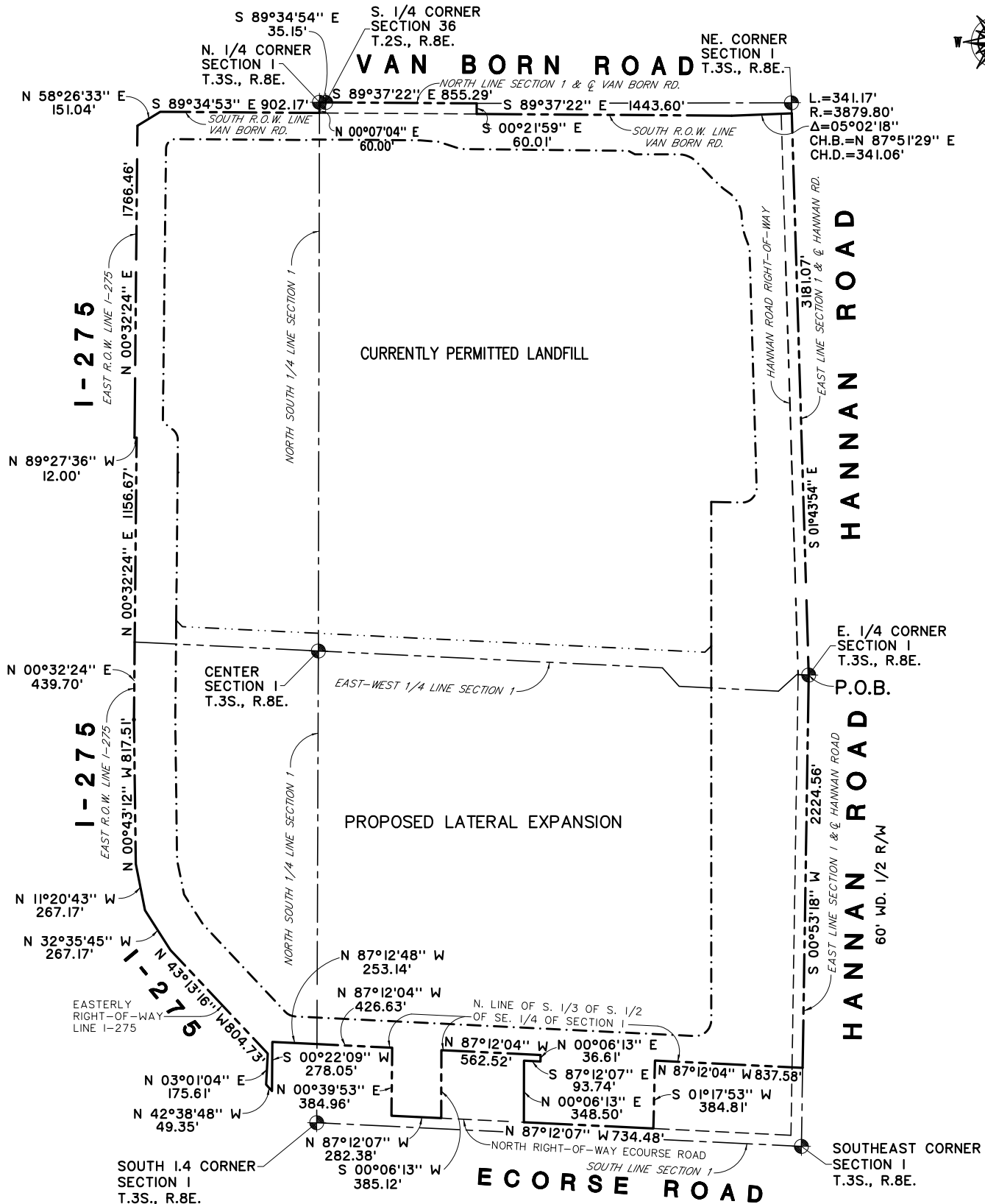
Sincerely,



Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

CC: Vidya Krishnan – Van Buren Charter Township Principal Planner / Planning Consultant – McKenna Associates  
Matthew Best, M.S. - Public Services Director, Van Buren Charter Township  
James Hamann – Waste Management of Michigan Inc.

# LEGAL DESCRIPTION



**MCNEELY & LINCOLN**  
Associates, Inc.

CIVIL ENGINEERING & LAND SURVEYING  
PH. (734)432-9777 FAX (734)432-9786  
37741 PEMBROKE, LIVONIA, MICHIGAN 48152

**WOODLAND MEADOWS, RDF.**

PART OF SECTION 1, T.3S., R.8E.,  
VAN BUREN TOWNSHIP,  
WAYNE COUNTY, MICHIGAN

DWG NAME: 7750.202 Legal Descr.dwg

DATE: 08/31/2020

JOB NO: 7750.202

SCALE: 1"=800'

SHEET 1 of 2

## **FACILITY BOUNDARY**

Beginning at the East 1/4 corner of Section 1, T.3S., R.8E., Van Buren Township, Wayne County, Michigan, described as:

thence South 00°53'18" West, along the East line of said Section 1 and the centerline of Hannan Road (60' half width), 2224.56 feet;

thence North 87°12'04" West, along the North line of the South 1/3 of the South 1/2 of the Southeast 1/4 of said Section 1, 837.58 feet;

thence South 01°17'53" West 384.81 feet;

thence North 87°12'07" West, along the North right-of-way line of Ecorse Road, 734.48 feet;

thence North 00°06'13" East 348.50 feet;

thence South 87°12'07" East 93.74 feet;

thence North 00°06'13" East 36.61 feet;

thence North 87°12'04" West, along the North line of the South 1/3 of the South 1/2 of the Southeast 1/4 of said Section 1, 562.52 feet;

thence South 00°06'13" West 385.12 feet;

thence North 87°12'07" West, along the North right-of-way line of Ecorse Road, 282.38 feet;

thence North 00°39'53" East 384.96 feet;

thence North 87°12'04" West, along the North line of the South 1/3 of the South 1/2 of the Southeast 1/4 of said Section 1, 426.63 feet;

thence North 87°12'48" West, along the North line of the South 1/3 of the Southeast 1/4 of the Southwest 1/4 of said Section 1, 253.14 feet;

thence South 00°22'09" West 278.05 feet;

thence along the Easterly right-of-way line of I-275 the following eleven (11) courses:

(1) North 42°38'48" West 49.35 feet,

(2) North 03°01'04" East 175.61 feet,

(3) North 43°13'16" West 804.73 feet,

(4) North 32°35'45" West 267.17 feet,

(5) North 11°20'43" West 267.17 feet,

(6) North 00°43'12" West 817.51 feet,

(7) North 00°32'24" East 439.70 feet, to a point on the East-West 1/4 line of said Section 1;

(8) continuing North 00°32'24" East 1156.67 feet,

(9) North 89°27'36" West 12.00 feet,

(10) North 00°32'24" East 1766.46 feet, and

(11) North 58°26'33" East 151.04 feet;

thence South 89°34'53" East, along the South right-of-way line of Van Born Road, 902.17 feet;

thence North 00°07'04" East, along the North-South 1/4 line of said Section 1, 60.00 feet to the North 1/4 corner of said Section 1;

thence South 89°34'54" East, along the North line of said Section 1, and the centerline of Van Born Road, 35.15 feet, to the South 1/4 corner of Section 36, T.2S., R.8E.;

thence South 89°37'22" East, along the North line of said Section 1, and the centerline of Van Born Road, 855.29 feet;

thence South 00°21'59" East 60.01 feet;

thence along the South right-of-way line of Van Born Road, the following two (2) courses:

(1) South 89°37'22" East 1443.60 feet, and

(2) Easterly 341.17 feet along the arc of a circular curve concave Northerly, having a radius of 3879.80 feet, a central angle of 05°02'18", and a chord which bears North 87°51'29" East, a distance of 341.06 feet;

thence South 01°43'54" East, along the East line of said Section 1, and the centerline of Hannan Road, 3181.07 feet to the Point of Beginning, being part of Section 1, T.3S., R.8E., and containing 464.94 acres of land, more or less. Subject to the rights of the public over the East 60 feet thereof as occupied by Hannan Road. Also subject to easements and restrictions of record, if any.

Note: Legal Description adapted from "Survey of Two Parcels of Land Located in Section 1" prepared by Midwestern Consulting, Job No. 90230, dated 12/14/1990, revised 11/25/1991 and "Boundary Sketch of a Parcel of Land Located in the South 1/2 of Section 1" prepared by Midwestern Consulting, Job No. 18002, dated 03/21/2018.

DWG NAME: 7750.202 Legal Descr.dwg

DATE: 08/31/2020



JOB NO: 7750.202

SCALE: N/A

SHEET 2 of 2





SCALE: 1"=150'			2021 TREE CLEARING LIMITS PROJECT SITE PLAN	REV.					 WOODLAND MEADOWS, RDF 5900 HANNAN RD., WAYNE, MI 48184 (734) 326-0993 WASTE MANAGEMENT	DATE: 07/11/21	
PROJECT NO.: 7750-203					DESIGN BY: AV RA					DRAWN BY: RA	
FILE NAME: 7750203.dwg (15.000) - See Drawing Limits					CHECKED BY: AV					F.B.I.	
SHEET 1 OF 1										N/A	

CONSTRUCTION DRAWING