

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION - VIRTUAL MEETING ON ZOOM
June 23, 2021
MINUTES**

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 7:32 p.m.

ROLL CALL:

Present: Jahr, Cullin, Kelley, Atchinson, Budd, Barr and Thompson.

Excused: None.

Staff: Director Power, Director Best and Secretary Hubbard.

Planning Representatives: McKenna Associate, Vidya Krishnan and Fishbeck Associate, Stephen Clayton.

Applicant(s) in Attendance: Rob Wagner of Midwestern and Scott Debuck, Debuck's Corn Maze.

Audience: Twenty-one (21).

APPROVAL OF AGENDA:

Motion Jahr, Budd second to approve the agenda of June 23, 2021 as presented. Chairperson Thompson welcomed new commissioner Callie Barr.

Roll Call:

Yeas: Jahr, Cullin, Kelley, Atchinson, Barr, Budd, and Thompson.

Nays: None.

Absent: None.

Motion Carried.

APPROVAL OF MINUTES:

Motion Kelley, Cullin second to approve the regular meeting minutes of June 9, 2021 as presented.

Roll Call:

Yeas: Jahr, Cullin, Kelley, Atchinson, Barr, Budd, and Thompson.

Nays: None.

Absent: None.

Motion Carried.

NEW BUSINESS:

ITEM #1: CASE 21-010- VBTS, LLC / 44145 YOST ROAD – PRELIMINARY AND FINAL SITE PLAN APPROVAL

THE APPLICANT, ROB WAGNER OF MIDWESTERN CONSULTING, ON BEHALF OF OWNER VBTS, LLC, HAS APPLIED TO CONSTRUCT A 5,400 SQUARE FOOT ROOFED STRUCTURE TO BE USED FOR SHELTERING A WASTE TRANSFER AREA, ALONG WITH RELATED SITE IMPROVEMENTS.

LOCATION: 44145 YOST ROAD (PARCEL NUMBER 83 009 99 0004 001). THIS SITE IS ROUGHLY 1.2 ACRES IN AREA AND IS LOCATED ON THE SOUTH SIDE OF YOST ROAD, EAST OF SHELDON ROAD. THE PARCEL IS ZONED M-1 – LIGHT INDUSTRIAL

Director Power started with a brief presentation. This proposal was initially presented to the Planning Commission at their regular meeting on 3-24-21. because it's a project that's going to require side and rear yard setback variances. Director Power stated it's a fairly basic proposal for 5,400 sq. ft. shelter. It is a full level site plan review that is going to require an overall review of the applicable sections of the zoning ordinance, township engineering standards and the Fire Department review. A preliminary review has been done by the Planning Commission, two variants granted by the BZA and now ready to hear the technical comments on the site plan with the variances achieved.

Vidya Krishnan of McKenna Associates presented her review letter. There were concerns about the fire department circulation and fire safety routes on the site. It has now been approved and deemed acceptable by the fire department. In regard to the dimensional requirements, the required front, rear, and side yard setbacks in the district are 50x40x40 ft. The applicant did receive a variance from the BZA at their 4-13-21 meeting, for a zero ft rear yard setback which abuts the railroad lines. A 7.89 ft side yard setback would keep the line of the proposed edition in line with the existing non-conforming building. In regard to access and circulation, there's an existing 30 ft wide access drive that is shared with the site to the east. It's a joint driveway that's in good condition and maintained by an entity named VBTS. Cross access does exist with the property to the east. Vacant industrial building and overgrown site on the west so cross access is not required. Sidewalks are not required due to no pedestrian activity anticipated. Ms. Krishnan stated, based on the ordinance, 15 parking spaces are required for this particular business. The ordinance also grants the Planning Commission authority to modify parking if the applicant presents data proving the spaces aren't necessary. In regard to the loading space, it fits the dimension requirements at 10x50 ft. Landscaping and screening ordinance has extensive requirements. The applicant is currently making this change to comply with the state licensing requirements. McKenna Associates presented a site plan map showing the tree and shrub requirement as well as construction plans.

Stephen Clayton of Fishbeck Associates presented his staff review letter dated 4-26-21 with the following recommendations and comments:

1. The Planning Commission granted the Yost Transfer Station preliminary and final site plan approval.
2. The soil information will need to be presented during construction and if any unfavorable soil conditions are found the modifications to the foundation must be made.
3. The applicant has submitted and obtained EGLE license for the solid waste disposal area operating license.

4. The applicant must also submit the engineering plans to EGLE for the building improvements.
5. The construction plan states it should not include the employee's schedule or the applicant's response letter.
6. There were no water main service proposed warnings or watering connections.
7. The plans do not indicate any proposed sanitary sewer or service connections for the storm sewer.
8. Plans indicate that there's run off from the structure collected through a roof drain.
9. The plans indicate no increase in the previous surface due to proposed improvements.
10. Soil erosion and sediment control measures must be included.

Director Power proceeded to read the Fire Department's review. The main concern was fire protection of the site and water service. The applicant wrote a memo to that was verified with Fire Marshall Lenaghan. The memo is still currently approved stating the building is constructed with non-combustible materials. Also, the facility does not take any type of waste that would be considered a fire or environmental hazard.

The applicant introduced himself and the company followed by a brief presentation. The property is in the M-1 district and is one and half acres. The company is proposing a 5,400 sq ft roof structure for the existing facility required by the state. The applicant explained again the McKenna associate's comments on the parking space situation. He presented the elevations showing heights, existing structure and the proposed structure.

Commissioners had the following questions/comments for the applicant:

1. Where would the parking spots be? North of the existing building.
2. Where would the shrubs be? North of the building.
3. Is the roof also metal and is that also the sandstone color? Unsure at the time.

There were no comments from the audience.

Motion Kelley, second Jahr to grant the applicant, Rob Wagner of Midwestern Consulting, on behalf of owner VBTS, LLC, to construct a 5,400 square foot roofed structure to be used for sheltering a waste transfer area along with related site improvements.

Roll Call:

Yeas: Jahr, Cullin, Kelley, Atchinson, Barr, Budd, and Thompson.

Nays: None.

Absent: None.

Motion Carried.

After the motion, the applicant did confirm to the Commissioner the roof is sandstone and will match the existing building.

ITEM #2: CASE 21-022 – NORLIN INVESTMENT, LLC / DEBUCKS CORN MAZE AND PUMPKIN PATCH

LOCATION: 44145 YOST ROAD (PARCEL NUMBER 83 009 99 0004 001). THIS SITE IS ROUGHLY 1.2 ACRES IN AREA AND IS LOCATED ON THE SOUTH SIDE OF YOST ROAD, EAST OF SHELDON ROAD. THE PARCEL IS ZONED M-1 – LIGHT INDUSTRIAL.

Director Power gave a quick presentation on the current item. This project did not undergo a permanent site plan approval in terms of any kind of use that would warrant the full standards of the zoning ordinance. While reviewing the request, the PC has discretion to clarify a length of time for a temporary land use approval. This site includes a corn maze, wagon rides, pollinator garden, various activities and dining. The approval was set to expire on 6-26-21.

The applicant gave a brief introduction and overview of the business and how they would like to continue.

The Commission had the following questions/comments for the applicant:

1. Is the parking fully striped or is it an open field? It is an open field with handicap stripes only. There are flags on site and employees that help the cars.
2. Is overflow parking always open? Only use when needed.
3. Are you directing people to parking spots or are they on their own? Employees help and direct where to park.
4. Why are you going with an additional three acres for parking? The business is growing and want to accommodate more people.
5. Do you have more than 500 cars there at any given time? It's possible to have about 1,000 cars in the parking lot. Depends on the season, usually the middle weeks of October's weekend are the busiest time.

Commissioners discussed extending the permit for three years due to the time required to research the ordinance by the Planning Commission. Commissioner asks the applicant if they would be willing to continue to working with and inform the Planning Commission on how this process works for everyone. The applicant believes with the three-year extension it would help find a solution.

No public comment.

Motion Jahr, Atchinson second to approve the extension of a previous eight-year temporary land use approval for agricultural tourism and recreation uses granted by Planning Commission on 6-26-13.

Roll Call:

Yeas: Jahr, Cullin, Kelley, Atchinson, Barr, Budd, and Thompson.

Nays: None.

Absent: None.

Motion Carried.

GENERAL DISCUSSION:

A member of the audience questioned when will the Denton-Ecorse project begin? Director Power informs the resident that there was no formal submittal to the Planning Commission and it was never a project. Director Power introduced new commissioner Callie Barr. She gave a brief introduction of herself and stated she is excited to work with the Planning Commission. Director Power also mentioned that additional training registration is now open and commissioners will have until Friday to sign up. The Planning Commission meetings are still going to be done via Zoom until September like the Board of Trustees.

ADJOURNMENT:

Motion Cullin, Budd second to adjourn the meeting at 8:45 p.m. Motion Carried.

Respectfully submitted,

Donae' Hubbard
Recording Secretary