

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
January 12, 2022  
MINUTES**

Chairperson Kelley called the meeting to order at 7:32 p.m.

**ROLL CALL:**

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

**Excused:** None.

**Staff:** Director Power, Director Renaud, Director Zaenglein, Executive Assistant Dohring and Secretary Harman.

**Planning Representatives:** McKenna Associate, Vidya Krishnan.

**Applicant(s) in Attendance:** James Hamann of Waste Management of Michigan, Inc.

**Audience:** Nine (9).

**APPROVAL OF AGENDA:**

Motion Atchinson, Cullin second to approve the agenda of January 12, 2022 as presented.

**Motion Carried.**

**APPROVAL OF MINUTES:**

Motion Budd, Jahr second to approve the regular meeting minutes of December 8, 2021 as presented. **Motion Carried.**

**PUBLIC HEARING:**

**ITEM #1: 2022-2026 PARKS AND RECREATION MASTER PLAN**

**THE VAN BUREN TOWNSHIP DEPARTMENT OF COMMUNITY SERVICES SEEKS TO  
PRESENT AND RECEIVE PUBLIC COMMENT ON THE 2022-2026 PARKS AND  
RECREATION MASTER PLAN.**

**Motion Jahr, Cullin second to open the public hearing. Motion Carried.**

Vidya Krishnan of McKenna Associates gave the presentation and displayed the Draft Master Plan dated 1-10-2022. The Parks and Recreation Master Plan is a 5-year plan required by the State and Department of Natural Resources (DNR). The plan was sent out for a 30-day review period for comments and the submission date is February 1, 2022. The State does not require the plan to come before the Planning Commission, it was brought to the Commission in keeping with transparency and to receive feedback. It also looks good having the Planning Commission review the draft plan when submitting grants to the DNR. There is still time to make any necessary changes.

Mrs. Krishnan discussed the key elements of the Parks and Recreation Master Plan including:

- **Administration:** The Community Services Department was reorganized and restricted in May 2021.
- **Volunteers and Other Relationships:** The Parks and Recreation Department coordinates with over 100 volunteers. The Parks and Recreation Department also works in close cooperation with the school district to develop community recreation programs and coordinate facility use. This section provides a list of agencies and organizations that the department cooperates and/or partners with.
- **Budget**
- **Funding and Grant History:** A list of the grants awarded and where the money was used and what for.
- **Inventory of Recreational Facilities:** Parks and facilities including neighborhood parks, community parks, pickle ball/tennis courts and ball fields.
- **Barrier-Free Access:** The accessibility to parks and facilities was rated from 1 to 5. Overall, the Township parks and facilities received good ratings. However, French Landing Park received a 1 rating, needing significant improvement.
- **Survey of Regional Parks and Recreation Facilities:** A survey of all regional parks and recreation facilities within a 60-mile radius. There are 64 different types of recreation amenities.
- **Greenways and Trails:** Most of the Iron Belle Trail has been completed except for 2 small sections, hope to have built in 2024-2025. The pedestrian and bike path language is included from the Township Master Plan.
- **Special Events**
- **Basis for the Action Plan:** Planning and the public input process. Walkability radius, there are 540 acres of park land in Van Buren Township, including the Lower Huron Metropark. Neighborhoods are deficient in mini parks by 3 acres.
- **Facility Analysis:** Public schools, regional parks and facilities, parks and recreation amenities, greenways and trails, nearby parks and facilities and quasi-public and private recreation facilities.
- **Public Engagement Sessions:** The public engagement sessions provided good feedback with 130 comments. The top three requests were for: 1) community pool, 2) dog park and 3) programming. There were also requests for more restrooms in parks and improved lake access.
- **Capital Improvements Program:** Explains where the money for improvements comes from.
- **Appendix:** All of the compiled data.

Once the Parks and Recreation Master Plan is submitted, it makes the Township eligible for the next round of grants.

Residents had the following questions and comments:

- Explain the French Landing Park for the 1 to 5 ratio for accessibility. French Landing Park is a 1, not meeting the bare accessibility requirements. Director Renaud commented that last year Phase 1 was completed and this year Phase 2 is set to be completed and it's likely

that the accessibility rating is no longer a 1 with the improvements, she will have the accessibility reevaluated and updated.

- Resident commented on an error to the population for years 2010-2019, states the projected 2024 percentage. Staff will look into and make the correction.
- Resident inquired if anything is going to be done with the pavilion at Quirk Park. Director Zaenglein informed that 2 pavilions are being replaced in Van Buren Park in 2022 and Quirk Park will be looked at for future replacement.
- What happened to the land acquired north of Belleville Bridge? Director Zaenglein informed that there are no plans to develop the land right now, it's not an immediate need and the department is focusing on the Community Center.
- Information on the future parks planned at Haggerty and Elwell. Director Zaenglein informed that the plan and the Township were looked at as a whole and there are no definite plans just yet. The department is always looking to hear from the residents as to what they would like to see. Residents are welcome to reach out to Parks and Recreation Department with any ideas.
- Resident looks at French Landing Park from her house, asked what is planned. Director Zaenglein informed that walking paths and a new pavilion were installed in Phase 1, with furniture and raised gardens being added in the spring. In Phase 2 this year, a new fishing dock, kayak/canoe launch and new signage will be added. The pavilion will be able to be rented and staff will maintain the pavilion.
- Resident inquired if there is any plan to put in plug in parking at any of the parks? Director Zaenglein informed that the Van Buren Park Master Plan review is this year and that may be something to discuss under park improvements, she will discuss and look at further.
- Resident inquired with a pool being the number 1 item requested, why didn't it move forward? Director Zaenglein informed that wants, use and costs were looked at. Adding a pool doubles the cost of the Community Center and is extremely costly to operate. Residents were asked if it came down to it "would you pay for a pool", most were not interested. The pool is not planned right now as the cost outweighed the need, maybe plan in the future.

No comments were received via zoom remote viewers. Director Power informed that comments can still be sent in to the Community Services Department.

**Motion Budd, Jahr second to close the public hearing. Motion Carried.**

#### **NEW BUSINESS:**

##### **ITEM #1: 2022-2026 PARKS AND RECREATION MASTER PLAN**

**THE VAN BUREN TOWNSHIP DEPARTMENT OF COMMUNITY SERVICES SEEKS TO PRESENT AND RECEIVE PUBLIC COMMENT ON THE 2022-2026 PARKS AND RECREATION MASTER PLAN.**

Director Power informed that there are no additional comments from staff or the applicant.



Commissioners thanked Vidya Krishnan of McKenna Associates, Director Renaud, Director Zaenglein and Executive Assistant Dohring for a beautiful presentation and a very well composed document.

No comments from the audience.

**Motion Jahr, Cullin second to grant the Van Buren Township Community Services Department's request and recommend the 2022-2026 Parks and Recreation Master Plan to the Township Board of Trustees based on the review of the Draft Master Plan document dated 1-10-22 and by adopting the text of the Resolution.**

**Roll Call:**

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

**Nays: None.**

**Absent: None.**

**Motion Carried.**

**ITEM #2: 21-002 – TREE REMOVAL PERMIT FOR 39670 ECORSE ROAD**

**THE APPLICANT, JAMES HAMANN OF WASTE MANAGEMENT OF MICHIGAN, INC. SEEKS A PERMIT FOR TREE REMOVAL.**

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

James Hamann of Waste Management of Michigan, Inc. gave the presentation. In late 2020, Waste Management requested a tree clearing permit and tonight are asking for the permit to be extended. Waste Management is currently in the process of excavating two (2) cells and needs to clear the trees in order to stockpile material.

Director Power presented his staff review letter dated 1-7-22. The applicant seeks to remove approximately 121 individual trees and clear approximately 0.6 acres of contiguous wood area on the subject parcel. This follows the applicant's previous request in February of 2021 for the removal of approximately 453 individual trees and clear and additional approximately 11.5 acres of contiguous wood area on the same parcel. The previous request was approved by the Van Buren Township Planning Commission on February 10, 2021. Based on the review of the proposal for tree removal approval, Director Power recommends 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 the 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 \$1,443.00 is preliminarily assessed on this application. Any other required permit fee must be paid prior to any tree removals.

No comments from the Commission. Residents inquired if the red dots on the plan represent trees and if there will be any effect on Hannan Road. The red dots are trees and there will be no effect to Hannan Road.

**Motion Jahr, Cullin second to grant the applicant, James Hamann of Waste Management of Michigan, Inc. a permit for tree removal at the site located at 39670 Ecorse Road, based on the analysis and subject to the conditions detailed in Director Power's staff review letter dated 1-7-22.**

**Roll Call:**

**Barr, Budd, Atchinson, Cullin, Jahr and Kelley.**

**Nays: None.**

**Absent: None.**

**Motion Carried. (Letters Attached)**

**GENERAL DISCUSSION:**

Resident inquired what are the steps in the process for rezoning. Resident is concerned with the discussion from the Planning Commission meeting on 12-8-21 of a possible future rezoning application for a gas station on 4 parcels located across from the resident's home. Director Power informed that the Planning Commission is a forum for public feedback and input. The discussion was a preliminary introduction, these properties are master planned as single family residential. If the owner choses to pursue a rezone, doing so would require an amendment to the Master Plan and Future Land use Map and also require a lot of public feedback. No formal application has been submitted, there was only preliminary discussion. If there is further development, neighboring property owners would be notified. Vidya Krishnan of McKenna Associates also informed that any property owner can approach the Planning Commission with their ideas. The applicant can ask to have discussion and the Commission is obligated to inform them of the process. The owner in no way shape or form was given an ok for the use. Neighboring property owners will be notified if anything comes back in the form of an application.

Resident inquired if the DNR has some say in what is allowed to be near the referenced properties and do we know what their regulations are? Vidya Krishnan informed that if a project comes to site plan review, it would require engineering approval and EGLE would be involved.

Commissioner commented that a resident wanted to know about the wording of the requirement for notification. Vidya Krishnan informed that the notification requirement is publication and individual notices mailed to properties within 300 feet.

Resident commented that there is a longstanding day care center located near the 4 parcels and in the rules that he could find for businesses/properties near day care facilities a requirement is "no alcohol" to be sold within proximity. Resident inquired if it's proper to give the owner heads up or maybe guide him to build homes on the properties.

Resident commented good job on the Parks and Recreation Master Plan, would love to see a dog park and skate park. Resident is also against the rezoning of the parcels at the corner of the S. I-94 Service Drive and Haggerty if it ever comes to the Planning Commission. Resident informed that it is already a dangerous road over there with the curve.

Commissioner appreciated all the comments received pertaining to the 4 parcels along the S. I-94 Service Drive at Haggerty Road and suggested residents view the 12-8-21 Planning Commission meeting on YouTube as it will help to answer questions.


Commissioner asked to please find out what's happening with the Mobil gas station on the N. I-94 Service Drive and Haggerty. Director Power plans to have a summary of where projects stand at the next meeting.

Commissioners thank the public for their participation and Director Power and Staff for the meeting setup.

**ADJOURNMENT:**

**Motion Cullin, Barr second to adjourn the meeting at 8:55 p.m. Motion Carried.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CHH', followed by a horizontal line.

Christina Harman  
Recording Secretary





## MEMO

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TO: Van Buren Township Planning Commission

FROM: Dan Power– Director of Planning and Economic Development  
Vidya Krishnan – Planning Consultant

RE: VBT 22-001 – Tree Removal Permit Review for Waste Management of Michigan

DATE: January 7, 2022

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Applicant James Hamann of Waste Management of Michigan, Inc. seeks 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 applicant requests to remove approximately 121 individual trees and clear approximately 0.6 acres of contiguous wooded area on the subject parcel. This follows the applicant's previous request in February 2021 for the removal of approximately 453 individual trees and clear and additional approximately 11.5 acres of contiguous wooded area on the same parcel. The previous request was approved by the Van Buren Township Planning Commission on February 10, 2021. The Planning and Economic Development Department has evaluated this request. Based on the applicant's 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 1-275 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 \$1,443.00 is preliminarily assessed on this application. Any required permit fee must be paid prior to any tree removals.

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  
James Hamann – Waste Management of Michigan Inc.