

**4:00 P.M. – AGENDA REVIEW**

**4:30 P.M. – CALL THE MEETING TO ORDER**

*I. ROLL CALL*

*PRESENT:*                    *SANDRA WERTH, CHAIRPERSON*  
                                  *STEVE RENO, VICE CHAIRPERSON*  
                                  *MATT RAY, SECRETARY*  
                                  *TONY BARTOLOTTA, COMMISSIONER*  
                                  *DAVE KRAMER, COMMISSIONER*  
                                  *COLLEEN MURPHY, COMMISSIONER*  
                                  *SCOTT SINTKOWSKI, COMMISSIONER*

*ALSO PRESENT:*        *JEFFREY POLKOWSKI, SUPERINTENDENT/PLANNING*  
                                  *SCOTT ALEF, PLANNER II*  
                                  *AMY WILLIAMS, DEPARTMENTAL AIDE*  
                                  *ROB MERINSKY, DIRECTOR/ENGINEERING*

*PUBLIC PRESENT:*        *APPROXIMATELY 12*

*II. APPROVAL OF AUGUST 25, 2020 PLANNING COMMISSION MEETING AGENDA.*

**MOTION AND VOTE**

MOVED BY SINTKOWSKI

SUPPORTED BY KRAMER; RESOLVED TO **APPROVE** THE AUGUST 25, 2020 PLANNING COMMISSION MEETING AGENDA.

**MOTION CARRIED UNANIMOUSLY**

**(7-0)**

- III. APPROVAL OF THE JULY 28, 2020 PLANNING COMMISSION MEETING MINUTES AS PRINTED.

**MOTION AND VOTE**

MOVED BY KRAMER

SUPPORTED BY RAY; RESOLVED TO **APPROVE** THE JULY 28, 2020 PLANNING COMMISSION MEETING MINUTES.

**MOTION CARRIED UNANIMOUSLY**

**(7-0)**

- IV. APPROVAL OF CONSENT AGENDA

**MOTION AND VOTE**

MOVED BY BARTOLOTTA

SUPPORTED BY RAY; RESOLVED TO APPROVE THE CONSENT AGENDA.

**MOTION CARRIED UNANIMOUSLY**

**(7-0)**

- V. SITE PLANS AND PUBLIC HEARINGS

**PUBLIC HEARING – Rezoning 18-11-01, Rezone from PL, Public Lands to R-1B Single Family**

**Location:** W Side of Cooley Lake Rd, N of Cass Elizabeth Rd  
**Request:** Rezone from PL, Public Lands to R-1B Single Family  
**Parcel I.D. No.:** 13-28-378-002 & 13-33-126-001  
**Applicant:** Kanti Dhandha

**Applicant or representative present: Pastor Garrett (on behalf of Kanti Dhandha)**

**Mr. Alef** gave a brief history of this property. From 1976-2010 it was formerly zoned Residential and Commercial, and was rezoned in anticipation for the Township to purchase the property and use it as an alternate entrance for one of their parks. This action never really panned out. There is no real justification for it to remain zoned PL-Public Lands. There is approximately 4.3 acres, but only one half is usable, the rest is wetlands.

During the Public portion of the meeting, the following spoke against this request.

**Mary and Steve Mace** of 5465 Brookhaven questioned how they could possibly fit a home in such a small space. She further stated that it would lower property value. And there was not enough room for development.

**Frank** of 5453 Brookhaven is also opposed for the same reasons.

**Pastor Garrett** spoke to say that he would listen to suggestions, and he wanted to make sure that all parties are in agreement for this development and hopes for an approval to move forward.

#### **MOTION AND VOTE**

Moved by Sintkowski

Supported by Bartolotta; to forward a **favorable** recommendation in Case No. 18-11-01 on to the Township Board, to rezone the subject property of this application from PL, Public Lands to R-1B, Single-Family Residential District based on the following findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

- **Findings:**

- A. *The requested zoning change is consistent with the adopted Master Plan as amended.*
- B. *The requested zoning change is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.*
- C. *The subject zoning lot is physically suitable to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.*
- D. *The trend of development in the general area of the subject zoning lot is consistent with the requested zoning change.*

- E. *The Township and other public agencies do possess the capacity to provide all utility and public safety services that would be required for the range of land uses permitted under the proposed zoning classification.*
- F. *The requested zoning change and the resulting range of uses permitted under the proposed zoning classification will not result in any significant environmental impacts.*
- G. *The proposed zoning amendment will not be detrimental to the public interest.*

**MOTION CARRIED UNANIMOUSLY  
(7-0)**

**PUBLIC HEARING – Special Approval No. 20-07-04, Commercial Storage Establishment**

**Location:** 4525 Rockcroft Blvd  
**Request:** Special Use to permit a Commercial Storage Establishment.  
**Parcel I.D. No.:** 13-04-126-008 & 13-04-126-009  
**Applicant:** Dale Ulman

**Mr. Polkowski** gave a brief overview of this request.

**Mr. Ulman** added that the vehicles being stored are his personal vehicles, used to maintain his personal properties. He further stated that he had no issues moving the storage containers to the other side of the lot. He takes pride in the appearance of his properties and plans to put up a fence for screening.

During the public portion of the meeting, no one spoke regarding this request.

**MOTION AND VOTE**  
*Moved by Ray*

*Supported by Kramer; to **approve with conditions** the request for special approval in this case based on the following findings and conclusions under the Ordinance review criteria and considerations, which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.*

**Findings:**

- A. The proposed use is in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.*
- B.1 The proposed use will be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.*
- B.2 The proposed use will not have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.*
- B.3 The proposed use will not result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.*
- C. The proposed use is not located in any Special Approval use service areas identified and adopted by the Planning Commission.*
- D. The proposed use will not impose an unreasonable burden upon public services and utilities.*
- E. The proposed use will be in compliance with the regulations of the Zoning District in which it is proposed to be located.*

**Conclusions:**

- A.1 The proposed use is of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.*
- A.2 The proposed use will be compatible with the orderly development or use of adjacent zoning lots.*

- A.3 *Pedestrian circulation will not be hindered by the proposed use.*
- A.4 *Outdoor operations and display in connection with the proposed use will not burden and/or disrupt uses on adjacent properties.*
- A.5 *The natural and surrounding environment will not be negatively impacted by the proposed use.*
- B. *The proposed use will be within the capacity limitations of the existing or proposed public services and facilities which serve its proposed location.*
- C. *The proposed use will be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.*

**Conditions:**

*The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:*

- 1. A final site plan shall be submitted for review and all department comments from this application to the satisfaction of department staff.*
- 2. Hours of operation for commercial transport to and from the site shall be restricted to the hours of 10 A.M. to 7 P.M.*
- 3. Only vehicles and equipment may be stored in the parking lot. Storage containers are to be relocated away from the residential areas to the southern portion of the parking lot.*
- 4. The Planning Commission may re-review the approval at a later date should concerns arise and incorporate additional restrictions.*
- 5. This approval is valid for the current applicant and use.*
- 6. Any outstanding fees must be paid to the Township.*

**MOTION CARRIED UNANIMOUSLY  
(7-0)**

**PUBLIC HEARING – Special Approval 20-08-01, Commercial Storage Establishment**

**Location:** 4303 Highland Rd  
**Request:** Special Use to permit a Commercial Storage Establishment.  
**Parcel I.D. No.:** 13-22-401-023  
**Applicant:** MHC 16 LLC

**Applicant or representative present: Alan Hall, of API and John Hardy  
(representing owner)**

**Mr. Polkowski** gave a brief summary. The existing storage facility wants to make a small expansion. He does not see any real issues with this request but noted that engineering had some concerns with the quality of soil on site. He suggested possibly doing soil testing. Also, DPW had concerns with utility access, and suggested if allowed that there be conditions.

**Mr. Hall** stated that these units are portable, and can be moved if needed. He further stated that soil testing could be done if needed.

**Mr. Polkowski** further offered that there be a foundation plan, and the number of units cannot be higher than what is presented.

During the public portion of the meeting the following spoke regarding this request.

**Roger Heverly** of 4248 Woodstock voiced concerns regarding the wetland and wooded area.

**Mr. Hall** advised that they are only expanding on existing impervious surfaces only. They would not be expanding into wetland, or wooded areas.

**MOTION AND VOTE**

Moved by Ray

Supported by Bartolotta; to **approve with conditions** the request for special approval in this case based on the following findings and conclusions under the Ordinance review criteria and considerations, which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

**Findings:**

- A. The proposed use is in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.
- B.1 The proposed use will be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.
- B.2 The proposed use will not have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.
- B.3 The proposed use will not result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.
- C. The proposed use is not located in any Special Approval use service areas identified and adopted by the Planning Commission.
- D. The proposed use will not impose an unreasonable burden upon public services and utilities.
- E. The proposed use will be in compliance with the regulations of the Zoning District in which it is proposed to be located.

**Conclusions:**

- A.1 The proposed use is of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.
- A.2 The proposed use will be compatible with the orderly development or use of adjacent zoning lots.



- A.3 Pedestrian circulation will not be hindered by the proposed use.
- A.4 Outdoor operations and display in connection with the proposed use will not burden and/or disrupt uses on adjacent properties.
- A.5 The natural and surrounding environment will not be negatively impacted by the proposed use.
- B. The proposed use will be within the capacity limitations of the existing or proposed public services and facilities which serve its proposed location.
- C. The proposed use will not be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.

**Conditions:**

The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:

1. *A final site plan shall be submitted for review and all department comments from this application to the satisfaction of department staff, specifically addressing the concerns of the Township and DPW Engineers.*
2. *The Planning Commission may re-review the approval at a later date should concerns arise and incorporate additional restrictions.*

**MOTION CARRIED UNANIMOUSLY**

**VOTE (7-0)**

VI. DISCUSSION

**Mr. Polkowski** mentioned items to be brought up at the next meeting.

VII. ALL ELSE

VIII. ADJOURN

Chairperson Werth adjourned the meeting at 5:12p.m.