



9955 N. Haggerty Road
Plymouth, MI 48170
plymouthtp.org

PLANNING COMMISSION REGULAR MEETING

Minutes – Virtual Meeting via Zoom

7:00 PM • January 20, 2021

Virtual meeting via zoom: <https://mcka.zoom.us/j/99489629474>

Zoom meeting ID: 994 8962 9474

Or use one tap mobile:

+13126266799,,99489629474# US (Chicago)

Or dial by your location:

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Find your local number: <https://mcka.zoom.us/u/abmyK5mSkH>

Meeting called to order at 7:02 p.m.

1. ROLL CALL: PRESENT: Kendra Barberena, Secretary
Dennis Cebulski, Chairperson
Bob Ostendorf
John Itsell
Bob Doroshewitz
Keith Postell
Bill Pratt, Vice-Chairperson

ALSO PRESENT: Laura Haw, AICP, NCI, Planner, McKenna
Srishti Pillutia, ENV SP, Spalding DeDecker
Alice Geletzke, Recording Secretary

2. APPROVAL OF AGENDA: January 20, 2021

:

Moved by Commissioner Pratt and supported by Commissioner Barberena to approve the agenda for the regular meeting of January 20, 2021. Ayes all.

3. APPROVAL OF MINUTES: December 9, 2020

Moved by Commissioner Pratt and supported by Commissioner Barberena to approve the minutes of December 9, 2020 as submitted. Ayes all.

4. PUBLIC COMMENT (for items not on the agenda) – There was none.



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5. PUBLIC HEARING

A. PC# 2362-0620	46200 N. Territorial, Cluster Housing Option (CHO)
Applicant:	Mr. Leo Soave, Leo Soave Development, LLC
Address:	n/a
Tax ID:	R-78-033-99-0004-000
Zoning:	R-1-H, Single Family Residential District
Action Requested:	Open and Close the Public Hearing

Chairman Cebulski opened the public hearing at 7:05 p.m.

Ms. Haw reviewed the McKenna report dated January 14, 2021, Ms. Pillutia reviewed the engineering report dated January 15, 2021, and the Fire Department found no deficiencies. It was noted this is the third review of the project, with a public hearing initially held on August 19, 2020. Eight units are now proposed for the cluster housing option, rather than 10. Six units would be allowed for a platted subdivision.

Leo Gonzales, representing the applicant, addressed the Commission and answered questions regarding the concerns listed in the planning and engineering reports. Regarding sidewalks, he noted their preference to contribute to the sidewalk fund.

Commissioner Barberena read into the record the following e-mails received regarding the project:

From: James Curtiss <jamesccurtiss@msn.com>
Sent: Tuesday, January 19, 2021 9:21 AM
To: Planning Dept <planning@plymouthtp.org>
Subject: Application No. 2362-0620, 46200 N. Territorial Rd.

My wife and I own the property at 46225 N. Territorial, across the street from the above proposed cluster housing condominium development. We have lived there for more than 36 years. One of my first actions after acquiring this property was to have it made a State of Michigan Historic Site. With its early 19th century Greek Revival house, stable, barn and outbuildings it is a unique property with historical significance as the site of the 1827 founding of the Township (in our barn). I would like the Planning Commission to consider two concerns of ours.

First, the density of the proposed development slightly exceeds the Township requirements. The stretch of land running east on N. Territorial running from Beck Road to New England Village is characterized by large lots and mostly larger structures, in marked contrast to the proposed nine unit development. The development as proposed would stand out from what is currently a beautiful drive, one that is spectacular in the fall. Adding to the problem is that the property grade ascends north from N. Territorial, rendering the northern units very visible from the road. In consideration of this, I would ask the Planning Commission to opt for the parallel plan for six units, which would be much more compatible with the surrounding area.

Secondly, the entry access on the western edge poses a potential problem. When Eaton Estates was constructed, Wayne County required the developer to create a right passing lane for eastbound traffic to accommodate vehicle turning left into Eaton Estates. Unfortunately, both the developer and the County presumed the right of way to be 60 feet from the center of the road, when for our property it is only 22 feet. We were ultimately successful in having the County force the developer to fill in the huge hole, but had to sue the developer for the cost of landscape repair. The right passing lane was shorter than the County had originally required, but it seems to have been adequate. Before approval of this current proposal there should be verification that no road modification is required. Switching the entry access to the east edge of the property would allow the existing right hand passing lane to absorb the eastbound left turning traffic for this proposed development. N. Territorial has a 50 mph speed limit and many vehicles regularly exceed that. An increased volume of left turning eastbound traffic could pose a hazard.

Thank you for your consideration.



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James C. Curtiss
46225 N. Territorial Rd.

-----Original Message-----

From: Dorothy Pongracz <dapongracz@aol.com>
Sent: Friday, January 8, 2021 1:38 PM
To: Planning Dept <planning@plymouthtp.org>
Subject: Eaton Estates re: Soave building plan on Percell Property

I am concerned about the damage this building project can do to the surrounding protected Tonquish Creek Wetlands and to the existing Eaton Estates Condo Properties. I am sending this email to you to express my vote against this development and to let you know that I will also send a note of objection to MEGLE, as well.

*Thank you.
Dorothy Pongracz
13756 Eaton Drive
Unit 16*

Plymouth, Mi. 48170

From: Dorothy Pongracz <dapongracz@aol.com>
Sent: Thursday, January 14, 2021 9:13 PM
To: Planning Dept <planning@plymouthtp.org>
Cc: David Chaundy <dchaundy@herriman.net>; capronbbi@gmail.com; dixiehibner@comcast.net
Subject: Re: Eaton Estates re: Soave building plan on Percell Property

Hello Carol,

Here is an email that I received in response to an email I sent inquiring about what steps Eaton Estates had to take to protect our bridge over the Tonquish Creek and to protect the DEQ wetlands that surrounds both the Purcell and Eaton Estates properties.

I made the inquiry to the DEQ to inquire how to protect the wetlands and avoid a potential situation with the creek and the bridge that can cause flooding to Eaton Estates properties, should Mr. Soave not get the proper DEQ and EGLE approvals to build on the Purcell property.

As you can see, from the email below, unfortunately, the responsibility for getting approvals from Wayne County and The State of Michigan, lies both with Plymouth Township and the builder, Mr Soave.

I hope both parties are willing to do their due diligence, as suggested by Mr. Richardson, to protect the Eaton Estates property, from any future flooding and to investigate the DEQ wetland situation.

We are asking that the Township take our concerns seriously since we are all current Plymouth Township property tax payers so we are asking to be made a priority in deciding how development of the Purcell Property is in best interest of all concerned and not just a financial coup for the builder or the Township. Builders are known to cut deals with local politicians to avoid taking the legal steps necessary to protect the current tax base's concerns, thereby making additional revenue the priority instead of existing citizen' concerns.

This is the email I received from the DEQ:

From: "Richardson, Jeremy (EGLE)" <RICHARDSONJ1@michigan.gov>
Date: January 12, 2021 at 11:38:59 AM EST
To: Dorothy Pongracz <dapongracz@aol.com>
Subject: RE: Tonquash Creek Protected Wetlands

Thank you for the information.

Unfortunately we do not have the ability to comment on a project until an application or meeting request is submitted by the property owner, and there is no requirement that I am aware of that requires property owners to contact EGLE before seeking local approvals.



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I reviewed our online GIS mapping for easements in the area and there are no EGLE recorded conservation easements in the area that restrict certain uses and activities in the area. These would show as a purple polygon on the image below and our GIS mapping site. We recommend contacting local or County offices to determine if there is an easement or other designation you are referring to regarding the Tonquish Creek Protected Wetlands. There may be other designations in place for the area, however we do not hold any conservation easements in the area.

There are maps available online that provide a preliminary screening for the occurrence of wetland areas (see image below), however these are for reference and not intended to be used as a definite yes or no. The brown is hydric soils that could contain wetland areas. A site survey would be needed to determine if wetlands are present at the site, and if so, if they are regulated under state statute. This is the responsibility of the property owner/applicant as part of their due diligence for site development. We have a voluntary service in Lansing (Wetland Identification Program) that will review and approve these surveys for a fee, however we do not have the ability to require that a wetland survey be completed.

Storm water management for new construction is permitted through Wayne County DPS Permits using the Wayne County Storm Water Ordinance. The ordinance is intended to prevent the concerns you have for the project regarding possible impacts from storm water discharges. We recommend contacting someone in the County storm water program if you have questions regarding the storm water requirements for the site.

Hope this helps, thank you again for contacting.

Calling into the meeting with concerns were Valerie Byrd, Steve and Laura Tihanyi, Michael Warmbier, Michelle Saad, Jack Dempsey, Mary Mackie, James Curtis, Michelle Grove, and Patrick Corella. Among the issues brought forth were:

- What the public benefit is for this project, and also the benefit for the ultimate end users (future residents) of this development;
- The number of trees being removed and if more plantings could be added along N. Territorial Road to screen the residents on the south side;
- If a traffic acceleration / deceleration will be required on N. Territorial Road, concern over safety as this is a 50mph road;
- How snow removal will be handled on the new roadway, concern that it will end up on adjacent properties;
- The proximity of the new road to the backyards of existing residents (16.5-feet) on Portsmouth Crossing, causing safety issues and other issues, such as headlines from the driveways;
- A lack of recognition for the historic value and heritage of Carl Pursell who held several offices, and was the longest serving member of Congress from Plymouth Township;
- Drainage and wetland concerns especially regarding Tonquish Creek,
- Maintenance of existing property values; and
- The need for increased landscaping.

Mr. Gonzales and the engineer for the project spoke regarding these issues and answered further questions. He agreed to investigate moving the road further to the east and adding additional plantings.

Chairman Cebulski suggested that the historical heritage might be honored by naming the new street Pursell Drive and adding a plaque regarding the historical significance of the property to the identifying monument sign. It was also mentioned by Commissioners that with the reduction of units to 8 units, additional common green space should be provided for; that the driveways should be reduced; could the setbacks be reduced to relocate the road further from the western property line; issue with the lack of amenities for future residents and the sidewalk that ends half-way across unit 8, and concern over what natural features are actually being preserved.



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Chairman Cebulski closed the public hearing at 8:19 p.m.

Moved by Commissioner Pratt and supported by Commissioner Barberena to postpone consideration of Application #2362-0620, Cluster Housing Option at 46200 N. Territorial Road, for up to the May meeting of the Planning Commission. Ayes all.

PUBLIC HEARING – Continued

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| B. PC# n/a | Zoning Ordinance Text Amendment: MU, Mixed-Use Development |
| Section: | Amendment to Article 28.18: Special Provisions |
| Action Requested: | Open and Close the Public Hearing |

Chairman Cebulski opened the public hearing at 8:44 p.m. There being no public comment, the hearing was closed at 8:45 p.m.

Moved by Commissioner Pratt and supported by Commissioner Barberena to postpone consideration of Zoning Ordinance Text Amendment: MU, Mixed-Use Development, until the February Planning Commission meeting. Ayes all.

6. NEW BUSINESS

- | | |
|-------------------------|--|
| A. PC# 2362-0620 | 46200 N. Territorial, Cluster Housing Option (CHO) – Revised Plan |
| Applicant: | Mr. Leo Soave, Leo Soave Development, LLC |
| Address: | n/a |
| Tax ID: | R-78-033-99-0004-000 |
| Zoning: | R-1-H, Single Family Residential District |
| Action Requested: | Consideration and Recommendation to the Board of Trustees |

See Page 5 (above) for motion to postpone.

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|-------------------------|--|
| B. PC# 2379-1220 | Lot 23 – Metro Plymouth Business Park |
| Applicant: | Mr. Trevor Wilson, Concept District 2, LLC with Hillside Investments |
| Address: | 41335 Concept Drive |
| Tax ID: | R-78-025-01-0023-000 |
| Zoning: | IND, Industrial District |
| Action Requested: | Tentative and Final Site Plan Approval |

The McKenna report dated January 14, 2021 was reviewed by L. Haw, which recommended tentative site plan approval subject to conditions.

Ms. Pillutia reviewed the engineering report dated January 15, 2021 which recommended tentative and final site plan approval subject to conditions.



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The Fire Department found no deficiencies.

Trevor Wilson of Hillside Investments addressed the Commission and answered questions regarding items listed in the planner's report, including the fence which is located on the Burroughs property and the percentage of the building materials.

Moved by Commissioner Ostendorf and supported by Commissioner Pratt to grant tentative and final site plan approval to Application PC #2379-1220, Metro Plymouth Business Park at 41335 Concept Drive, subject to review by the Administrative Review Committee on the building materials percentage, to make those as large as possible, and conditioned on the outstanding items in the planning and engineering reports. Ayes all.

- C. PC# n/a Zoning Ordinance Text Amendment: MU, Mixed-Use Development**
Section: Amendment to Article 28.18: Special Provisions
Action Requested: Consideration and Recommendation to the Board of Trustees

See Page 5, above, for motion to postpone.

7. MISCELLANEOUS BUSINESS AND COMMUNICATION

- A. Planning and Zoning Monthly Report** - December 2020 – Discussed and reviewed by Commissioners.

- B. Master Plan Update** - Update on Public Engagement Results / Draft Plan

L. Haw referred to her presentation on the public engagement results to the Board of Trustees at their meeting of January 12, 2021. She also presented concept plans submitted by Township resident Leo Gonzales for two parcels of property. Mr. Gonzales discussed with Commissioners his ideas regarding these parcels.

C. Election of Officers -

Chairperson

Moved by Commissioner Postell and supported by Commissioner Doroshewitz to elect Dennis Cebulski as Chairperson. Ayes all with Commissioner Cebulski abstaining.

Vice-Chairperson

Moved by Commissioner Itself and supported by Commissioner Doroshewitz to elect Bill Pratt as Vice-Chairperson. Ayes all with Commissioner Pratt abstaining.

Secretary

Moved by Commissioner Doroshewitz and supported by Commissioner Postell to elect Kendra Barberena as Secretary. Ayes all with Commissioner Barberena abstaining.



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8. **PLANNING COMMISSIONER COMMENTS** – There were none.

9. **ADJOURNMENT**

Moved by Commissioner Pratt and supported by Commissioner Barberena to adjourn the meeting at 9:47 p.m. Ayes all.

Respectfully submitted,

Kendra Barberena, Secretary