

**SUPERIOR CHARTER TOWNSHIP
PLANNING COMMISSION – VIRTUAL MEETING
DECEMBER 16, 2020
APPROVED MINUTES
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1. CALL TO ORDER

Chairperson Guenther called the regular meeting to order at 7:30 p.m.

2. ROLL CALL

The following members were present: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele. Also present were George Tsakoff, Township Engineer; Benjamin Carlisle, Carlisle Wortman; and Rick Mayernik, Building/Zoning Administrator.

3. DETERMINATION OF QUORUM

A quorum was present.

4. ADOPTION OF AGENDA

A motion was made by Commissioner Findley and supported by Commissioner Gardner to adopt the agenda as presented. The motion carried.

5. APPROVAL OF MINUTES

A. Minutes of the October 28, 2020 Meeting

A motion was made by Commissioner Sanii-Yahyai and supported by Commissioner Brennan to approve the minutes as presented. The motion carried.

6. CITIZEN PARTICIPATION

Kay Williams, Library Board, stated that the Ypsilanti District Library site plan is on the agenda and she is available to answer questions.

7. CORRESPONDENCE

None.

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8. PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

A. STPC 20-07 2223 N. Prospect Road – Conditional Use Permit

1. Public Hearing

Motion by Commissioner Findley, supported by Commissioner Brennan to open the public hearing.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele.
No: None.
Absent: None.
Abstain: None.

Motion Carried.

Austin Anderson, applicant, gave an overview of the project. He noted that the primary purpose of the site will be the storing of materials for a landscaping business. There will also be a small office space.

Scott Dolson, who lives behind Mr. Anderson, noted concerns that there is already a feed store and stables. He questioned whether the space that the businesses are on could be combined and a larger business be placed on the site.

Commissioner Guenther stated that there is no rezoning occurring, the property is staying A-2 and the landscaping business would be a conditional use on the property.

Ben Carlisle stated that this use is tied to the site plan. So, if anyone else came to the site they would have to have planning commission approval for anything they wanted to do at the site.

Mr. Dolson stated that there have been several instances of people walking through the wooded area up to his house; he added that there is no fence. He noted that he would appreciate a fence across the back of the businesses.

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Motion by Commissioner Findley, supported by Commissioner Brennan to close the public hearing.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sani-Yahyai, Steele.
No: None.
Absent: None.
Abstain: None.

Motion Carried.

2. Deliberation

Mr. Carlisle reviewed the Planner's Report dated November 30, 2020.

Motion by Commissioner Gardner supported by Commissioner Sani-Yahyai to receive and file email from Scott and Lila Dolson dated December 15, 2020.

Commissioner Gardner inquired about the use of the site. He stated that landscaping is a conditional use subject to a set of standards and questioned compatibility to adjacent land uses. He questioned if this is a compatible use and if the 300-foot buffer between Mr. Anderson's property and the neighbors is sufficient.

Commissioner Gunether replied that because it is a conditional use in the A-2 zoning district, and it's a land-related business, it seems to fall within the general purview of compatibility.

Commissioner Gardner discussed his concern of the landscape business's compatibility with adjacent homeowners. He questioned if the 300-foot buffer was enough that compatibility is less of an issue.

Mr. Mayernik explained that when the stables were built under a previous zoning ordinance, they were a conditional use. The entire subject property was subject to a lawsuit involving a developer wanting sewer and water. He added that the owner of the stables provided a letter to the Planning Commission stating he had no objections to the project.

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The tree buffer behind Mr. Anderson's property was discussed. Commissioner Guenther inquired about adding a condition that the buffer may not be altered or moved.

Mr. Carlisle agreed that it could be added as a condition.

Commissioner Gardner stated that in addition to screening the pole barn on the south side, it could be screened on the west side.

Commissioner Guenther replied that he is not too worried about the west edge of the building, especially if the majority of the buffer is under the control of the neighboring residences. He added that he is not uncomfortable with the idea that it is a compatible use.

Commissioner Steele stated that if the property in question was to be used as a farm the Planning Commission would not be discussing the issue.

Commissioner Guenther agreed that it was a fair point. The landscaping barn would be less noisy than farming could be. He added that it is a limited use as it is.

Commissioner Brennan noted that a lot of the work is not going to be carried out at the site. This is just more of the "home base" for the landscaping business.

Mr. Carlisle stated that is correct. The employees would get their vehicles, get whatever materials they need and leave the site. No other work would occur on the site based on the conditions that were recommended.

Mr. Dolson explained that regarding the existing 50 feet of trees, someone had cut a path through the back of the woods on their property and several people have come through to their home.

Commissioner Guenther replied that it could be helped by the condition that the applicant could not remove any trees in the 50-foot buffer.

Mr. Carlisle noted that the Planning Commission can stipulate the hours of operation as a condition of approval.

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Commissioner Guenther reviewed the standards set forth in section 5.307 of the Zoning Ordinance.

Commissioner Findley suggested hours of operation of 6:00am to 8:00pm.

Mr. Anderson felt that would be acceptable.

Commissioner Guenther feels the Planning Commission is authorized to include a restriction that the existing strip of wooded area cannot be removed or altered.

3. Action

Motion by Commissioner Brennan, supported by Commissioner Findley, to approve STPC 20-07 2223 N. Prospect Road – Conditional Use Permit with the following conditions:

1. No snow removal operations shall be operated from the site.
2. No more than a maximum of two (2) employees will operate from the site.
3. Hours of operation shall be limited to 6 a.m. to 8 p.m.
4. Bins will hold natural materials such as mulch, topsoil, and compost.
5. No retail sales.
6. No meeting with customers on site.
7. No employees living on site.
8. Employee parking within barn and on concrete pad behind barn.
9. No more than a maximum of two commercial trucks or similar vehicles may be parked outside.
10. Existing woodlands on the west side of the property may not be removed.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sani-Yahyai, Steele.

No: None.

Absent: None.

Abstain: None.

Motion Carried.

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9. REPORTS

A. Ordinance Officer

A motion was made by Commissioner Findley and supported by Commissioner Sanii-Yahyai to receive the report. The motion carried.

B. Building Inspector

A motion was made by Commissioner Brennan and supported by Commissioner Findley to receive the report. The motion carried.

C. Zoning Administrator

A motion was made by Commissioner Brennan and supported by Commissioner Gardner to receive the report. The motion carried.

10. OLD BUSINESS

None.

11. NEW BUSINESS

A. 2223 N. Prospect Road – Minor Site Plan

Commissioner Findley stated that the lighting plan and screening to the south could be made administratively.

Motion by Commissioner Findley, supported by Commissioner Brennan, to approve STPC 20-08 2223 N. Prospect Road – Minor Site Plan with the following conditions to be approved administratively:

1. Screen 50 x 50 concrete pad and material bins along the southern property line.
2. Provide a lighting plan in conformance with Section 6.13.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele.
No: None.
Absent: None.

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Abstain: None.

Motion Carried.

B. STPC 20-05 Ypsilanti District Library – Final Site Plan

Dan Whisler, Daniels & Zermack Architects presented the renderings of the building on the final site plan. He also gave an overview of the project and added that they are working with the WCRC on the curb cut and shared driveway. It was noted that the road improvements are not part of the final site plan submission. Discussion followed regarding areas that are being cleared throughout the site.

It was noted that the drive-up book return will be completed at the beginning of the project if there are enough funds.

Mr. Carlisle reviewed the Planner's Report dated December 8, 2020.

Mr. Tsakoff reviewed the Engineer's Report dated December 9, 2020.

Motion by Commissioner Brennan, supported by Commissioner Gardner, to approve STPC 20-05 Ypsilanti District Library - Final Site Plan with the following conditions:

1. Resubmit a revised photometric plan that reduces lighting levels to a maximum of 10.0 footcandles.
2. All comments noted in Township Engineer, OHM, December 9, 2020 review memo.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele.

No: None.

Absent: None.

Abstain: None.

Motion Carried.

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12. POLICY DISCUSSION

None.

13. ADJOURNMENT

Motion by Commissioner Sanii-Yahyai, supported by Commissioner Brennan to adjourn.

Motion Carried.

The meeting was adjourned at 9:26 p.m.

Respectfully submitted,
Thomas Brennan III, Planning Commission Secretary

Laura Bennett, Recording Secretary
Superior Charter Township
3040 N. Prospect Rd.
Ypsilanti, MI 48198 (734) 482-6099