

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

******* MINUTES *******

REGULAR MEETING - WEDNESDAY, MARCH 6, 2013

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, March 6, 2013 at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Carol Thurber, Chairwoman	Justin Dunaskiss, Vice-Chairman
Dick Christie, Secretary	Don Walker, PC Rep. to ZBA
Karyn Pennington, Commissioner	Joe St. Henry, Commissioner

PLANNING COMMISSION MEMBER ABSENT:

John Steimel, Commissioner, BOT Rep. to PC

BOARD OF TRUSTEES MEMBERS PRESENT:

Chris Barnett, Township Supervisor	Penny Shults, Township Clerk
Mark Thurber, Township Treasurer	Mike Flood, Trustee
Neal Porter, Trustee	Donni Steele, Trustee

BOARD OF TRUSTEES MEMBER ABSENT:

John Steimel, Trustee

CONSULTANTS PRESENT:

R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc.
James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Planning/Zoning Coordinator

OTHERS PRESENT:

Matthew Pisko	Chris Rodgers	Mark Deprez
Kate Zacharevich	Ronald Lunney	Todd Hagberg
Doug Zande	Tony DiCicco	Cindy Saure
Ross Ensign	Phil Krause	Bill Knight
Loretta Adams	Dave Adams	Evelyn Doyle
Raymond Wisoki	Paul Winkler	Phoebe Schutz

1. OPEN MEETING

Acting Chairwoman Thurber called the regular meeting to order at 7:02 p.m.

2. ROLL CALL

Commissioner Steimel was absent.

3. MINUTES

Moved by Secretary Christie, supported by Vice-Chairman Dunaskiss to approve the February 6, 2013 regular meeting minutes as presented. **Motion carried 6-0** (Steimel was absent).

4. AGENDA REVIEW AND APPROVAL

Moved by Vice-Chairman Dunaskiss, supported by Secretary Christie to approve the agenda as presented. **Motion carried 6-0** (Steimel was absent).

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Chairwoman Thurber recessed the regular meeting and opened the PC-2013-03, Shops on Waldon Pond PUD Amendment, Kroger Fuel Facility D-649, Joint Public Hearing with the Township Board of Trustees at 7:05 p.m.

Chairwoman Thurber closed the PC-2013-03 Public Hearing at 8:40 p.m. and reconvened the regular meeting.

Motion carried by the Board of Trustees to close their special meeting at 8:40 p.m.

5. BRIEF PUBLIC COMMENT - NON-AGENDA ITEMS ONLY

No comments were made.

6. CONSENT AGENDA

No items.

7. NEW BUSINESS

A. PC-2013-03, Shops on Waldon Pond Planned Unit Development (PUD) Amendment, Kroger Fuel Facility D-649, Southeast Corner of Baldwin and Waldon Roads

Mr. Matthew Pisko, commented that he is representing Kroger Company of Michigan.

Mr. R. Donald Wortman, of Carlisle/Wortman Associates, Inc., overviewed their Major PUD Amendment Review letter, dated February 21, 2013*, which included many concerns including pedestrian safety, environmental concerns, landscaping, street trees, photometric plans and light levels, signage issues, parking easement agreement, traffic congestion, underground gas tanks, traffic safety issues, etc.

Mr. James Stevens, of Orchard, Hiltz, & McCliment, Inc. (OHM), overviewed their Major PUD Amendment Review letter, dated February 15, 2013*, which stated that their plans are not in substantial compliance with the Township's ordinances and engineering standards and listed several issues that they must address.

Chairwoman Thurber overviewed correspondence received from Mr. Bill Ireland, DPW Director, dated January 30, 2013, that there is adequate water and sewer to service this project*.

Chairwoman Thurber overviewed correspondence received from Mr. Scott Sintkowski, Permit Engineer, with the Road Commission for Oakland County (RCOC), dated February 15, 2013*.

Chairwoman Thurber overviewed correspondence received from Mr. Glenn Appel, Chief Engineer, with the Water Resources Commissioner's office*.

Chairwoman Thurber overviewed the site walk report for this case*.

Chairwoman Thurber overviewed review correspondence from Mr. Bob Smith, Fire Chief, dated February 11, 2013*.

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Secretary Christie overviewed the petition that was signed by 27 residents and was submitted to the Township in opposition to this proposed gas station project*.

Secretary Christie read aloud correspondence in support of the proposed gas station from Ms. JoAnn Van Tassel, of 2726 Saturn, dated March 6, 2013*.

There was also correspondence in opposition to the proposed gas station from Ms. Angeline D. Wysocki, of 2944 Walmsley Circle, dated February 20, 2013*.

There was also correspondence in opposition to the proposed gas station from Ms. Linda Toothacker, of 3761 Minton, date stamped received by the Township on March 5, 2013*.

Mr. Pisko noted that they think the fueling station is an appropriate use and will not be injurious to the development. They will put in landscaping. They will have it appropriately reviewed and approved or it won't be installed. They don't think it will be a detriment to the small shops based on the traffic study and aerials. They will add the street trees. It would be hard for Kroger to commit to restrictions on the trucks. They will do the landscaping and address the concerns of the signs and photometric plans. He briefly reviewed the signage. Their signage is separate from what the Adams' are proposing for the shopping plaza itself. They don't have any objections to the engineering comments or any of the other consultants' review letters. He did not want to comment on the sidewalk by ACE Hardware since he doesn't represent them.

Mr. Dave Adams commented that the tenant that ACE Hardware is not really a tenant there. They are a co-owner now, so he cannot speak for them either. He then briefly reviewed the signage plans.

Planner Wortman suggested that they make the proposed multi-tenant sign more attractive and to frame it better and bring back a revised plan for members' review.

Ms. Loretta Adams agreed that they will make the sign more attractive.

Members discussed the three-year old traffic study and agreed that they want OHM to do a formal review of that study.

Mr. Pisko noted that he believes that Kroger's hours of operation are around 6:00 a.m. to midnight, but the station would be open a half-hour after the store opens and would close approximately a half-hour before Kroger closes.

Chairwoman Thurber noted that the traffic study recommended changing the timing of the signals at both Waldon and Maybee on Baldwin Road. She inquired whether they have contacted the RCOC yet regarding that change.

Mr. Pisko replied that he would have to get back to her on that.

Members discussed that they would like to speak to the owner of ACE Hardware regarding the proposed sidewalk.

Moved by Secretary Christie, supported by Vice-Chairman Dunaskiss to **postpone action** on case PC-2013-03, Shops on Waldon Pond Planned Unit Development

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(PUD) Amendment to construct Kroger Fuel Facility D-649, on the southeast corner of Baldwin and Waldon Roads, Sidwells #09-29-126-062, #09-29-126-065, #09-29-126-066, #09-29-126-067, and #09-29-126-055, for the following reasons: 1)the petitioner shall provide accurate data regarding the parking requirements to justify the location of the station on-site; 2)a new landscape plan shall be provided with the new trees along Waldon Road; 3)the petitioner shall submit an 8"x12" rendering of the proposed canopy signage; 4)the owners of the facility have agreed to submit a new design for the monument sign on Baldwin Road; 5)that notes shall be added to the photometric plans regarding the after-hours light levels for the proposed canopy area and that the flat lens fixtures will be shielded and will not protrude beneath the bottom of the canopy; 6)the petitioner shall provide notes on the plans for a maintenance schedule regarding the oil/gas separators; 7)We also request that the ACE Hardware owner come in to explain to members what his reasons are for the sidewalk on the north side of the building; 8)the petitioner shall address all of the Township Engineer's comments in his review letter dated February 15, 2013*; 9)that the Township Engineer formally review the traffic study that was submitted by the petitioner; 10)that the petitioner shall address all of the Road Commission for Oakland County's (RCOC) comments in their review letter dated February 15, 2013*; and, 11)to explore other options regarding the proposed increased traffic on the entrance drive near Health Quest regarding the safety, health, and welfare of their patients going to and from their vehicles to the health facilities. Roll call vote was as follows: Walker, yes; St. Henry, yes; Dunaskiss, yes; Christie, yes; Pennington, yes; Thurber, yes. **Motion carried 7-0.**

8. UNFINISHED BUSINESS

None.

9. PUBLIC COMMENTS

None further.

10. COMMUNICATIONS

Chairwoman Thurber commented regarding the 2013 Annual Zoning Board of Appeals Report, Board of Trustees Minutes, and various pieces of correspondence, which were included in members' meeting packets for their review and information.

11. COMMITTEE REPORTS

Chairwoman Thurber commented regarding the Site Walk Committee's Report for case PC-2013-03, Shops on Waldon Pond PUD Amendment, Kroger Fuel Facility D-649*.

12. UPCOMING PUBLIC HEARING

No public hearings are scheduled at this time.

13. CHAIRWOMAN'S COMMENTS

Chairwoman Thurber thanked the public for their participation in the public hearing tonight.

14. COMMISSIONERS' COMMENTS

Members also appreciated the public for their participation in the public hearing tonight.

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15. ADJOURNMENT

Moved by Secretary Christie, supported by Commissioner Pennington to adjourn the meeting at 9:55 p.m. **Motion carried unanimously.**

* Attachment