



CHARTER TOWNSHIP OF PORT HURON

3800 Lapeer Road
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Planning Commission Agenda Thursday, April 8th 2021 at 7:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of Amended Minutes – January 7th 2021
 - a. February and March 2021 meetings canceled
6. Correspondence
7. General Public Comment
8. Public Hearings:
9. Old Business:
10. New Business:
 - a. Review of proposed parking lot expansion at 2415 24th Street for the St Clair County Mental Health Facility.
 - b. Proposed Roof Mounted Solar PV installation on existing roof for the Best Western Hospitality Hotel structure located at 2282 Water Street.
 - c. Proposed Re-approval of Outdoor Annual Parking Lot Sale at 3292 Lapeer Rd for John Bright of Bright Bargains Trade Center.
 - d. Proposed renewal of Outdoor Dumpster Containers with Additional Open ended Hoop Dome and Storage Container at 1834 Range Rd. for David Jozefiak, D&M Lawn, Landscape and Tree Service.
 - e. Review of Currently Submitted Plans at 3308 Petit Street, for the Upcoming May 6th, 2021 Planning Commission Meeting, for a Proposed Special Use Approval for Automobile and Heavy Equipment Repair and Long-Term Storage for Mark Toodzio of Petit Enterprises.
 - f. Proposed Addition to Connect the Structures Located at 2043 And 2031 International Way for A Peters Properties LLC, Smiths Meat Packing.
11. Reports
 - a. Kirk Lavigne – Update
 - i. Proposed zoning ordinance changes to, Section “40-666 Accessory Buildings and Structures” for the placement of “Storage and/or Shipping Containers”.
 - ii. Summary of Medical Marijuana Caregiver regulations, Home Occupation and Regulated Uses Information
 - iii. Recently approved construction at 1750 Range Rd, Ace Paving and 3860 Griswold, CJ’s Bar & Grill, as well as a number of proposed residential units.
 - b. Township Board Report – John Reno
 - c. Zoning Board of Appeals Report – Jerry Sebastian
12. Adjournment





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MINUTES OF THE REGULAR MEETING FOR THE CHARTER TOWNSHIP OF PORT HURON PLANNING COMMISSION HELD THURSDAY, APRIL 8, 2021, 7:00 P.M., TOWNSHIP HALL, 3800 LAPEER RD, PORT HURON, MI 48060

The meeting was also virtually conducted with posted information/directives regarding access to the presentation.

1. Call to Order

The Meeting was called to order by Vice-Chairman Ivan Smith at 7:00 P.M.

2. Pledge of Allegiance

3. Roll Call

Attended: Laura Covyew, Sheri Faust (Zoom), Mark Kovach, Trustee John Reno, Jerry Sebastian (Zoom), and Ivan Smith.

Absent: Stephen Tetreau, excused.

Also Present: Building/Planning/Zoning Administrator Kirk Lavigne and Recording Secretary Betty Child.

Zoom Attendance: John Bright, Michael Klemmer, Gerry Mason, Brent Moore, Anthony Peters, Dylan Pugh, Mark Toodzio, and Bill Vogan.

4. Agenda Approval

Motion by Trustee Reno, support by Member Kovach, to approve the agenda as distributed. Hearing no objections, Vice-Chairman Smith called for a voice vote. All in favor, the agenda was approved.

5. Approval of Amended Minutes, January 7, 2021

Motion by Member Kovach, support by Member Faust, to approve the amended minutes as distributed. Hearing no objections, Vice-Chairman Smith called for a voice vote. All in favor, the amended minutes were approved.

For the record, the Meetings for February and March 2021 were cancelled.

6. Correspondence

There being none, Vice-Chairman Smith moved to General Public Comment.

7. General Public Comment

There being none, Vice-Chairman Smith moved to Public Hearings.

8. Public Hearings

There being none, Vice-Chairman Smith moved to Old Business.

9. Old Business

There being none, Vice-Chairman Smith moved to New Business.

10. New Business

(a) Review Proposed Parking Lot Expansion at 2415 24th Street for St Clair County Mental Health Facility.

Brent Moore, Engineer from BMJ (Boldt, McLeod & Johnson, Inc) discussed the site plan located on the west side of 24th Street and south of Beard Street. The plans indicate proposed expansion of the parking areas with additional ADA spaces, abandonment of the two existing parking lot entrances off Beard Street and a proposed

new entrance off 24th Street, landscaping improvements, a detention basin and associated storm sewer. The existing building with truck well are proposed to remain.

Per Kirk Lavigne requirements are being met adequately. Comments from DLZ Township Engineer proposed eleven items for consideration in relation to the proposed use/Preliminary Site Plan. Kirk Lavigne recommended approval subject to compliance of the items listed by the Engineer.

Motion by Trustee Reno, support by Member Faust, to approve subject to the Engineer's modifications and return with changes for landscaping and curbing. Hearing no further comments, Vice-Chairman Smith called for a voice vote. All in favor, motion carried.

(b) Sketch Plan Review for Best Western Hospitality Hotel, Located at 2282 Water Street, Proposed Roof Mounted Solar PV Installation on Existing Roof.

Per new ordinance requirements regarding possible reflection issues from solar panels, Dylan Pugh was present for discussion. Kirk Lavigne stated the applicant has complied with ordinance requirements. Trustee Reno inquired if the panels were to be roof mounted and informed, they were.

Motion by Member Covyew, support by Member Kovach, to approve the request. Hearing no further comments, Vice-Chairman Smith called for a voice vote. All in favor, motion carried.

(c) Proposed Re-approval of Outdoor Annual Parking Lot Sale at 3292 Lapeer Road, Bright Bargains Trade Center, Owner John Bright.

John Bright requested license renewal after the one-year trial for his annual parking lot sale held Saturdays from April through November before Thanksgiving. Hours of operation are 8:00 A.M. until 6:00 P.M. for the weekend market. Should Sunday be a consideration he would return for modification.

Kirk Lavigne stated the Township had no problems with this operation during the past year. Member Faust inquired about days and times of operation.

Motion by Member Kovach, support by Member Covyew, to renew and approve as an annual event. Hearing no further comments, Vice-Chairman Smith called for a voice vote. All in favor, motion carried to renew as an annual event.

(d) Proposed Renewal of Outdoor Dumpster Containers with an Additional Open Ended Hoop Dome and Storage Container at 1834 Range Road, D&M Lawn, Landscape and Tree Service, Owner David Jozefiak.

The owner was not present for this discussion. The Planning Commission had granted temporary use for the storage of equipment and empty trailers. The applicant requested extension of the use, as well as expansion of additional materials and structures located on site. This request is for concrete barriers with a hoop dome over the top, which may be used to protect on site mulch, as well as a storage container for additional items. The Zoning is B-3 General Business and can only be used for industrial purposes of up to 45%. There were no site plan improvements other than screening.

Comments from the Members:

- Kirk Lavigne commented the owner may or may not have been aware of said meeting.
- Member Sebastian commented the site had been kept clean.
- Trustee Reno felt more information was needed due to intent of the applicant.
- Vice-Chairman Smith added the applicant needs to bring in more information.

Motion by Trustee Reno, support by Member Kovach, to table item due to lack of representation. Hearing no further comments, Vice-Chairman Smith called for a voice vote. All in favor, item tabled.

(e) Review Currently Submitted Plans at 3308 Petit Street, for the Upcoming May 6th, 2021 Planning Commission Meeting, for a Proposed Special Use Approval for Automobile and Heavy Equipment Repair and Long-Term Storage for Petit Enterprises, Owner Mark Toodzio.

Owner Mark Toodzio and his attorney, Gerry Mason were present for discussion. The applicant has been operating a repair facility as an existing non-conforming use and has been in court requiring removal of accumulating cars. Most recently he was court ordered to clean up the site and obtain approval from the Planning Commission for the existing repair facility so it could be considered a legal conforming use. Last year he was granted a zoning permit to construct a fence to contain the damaged cars, but the fence does not appear to have the proposed gates.

Since then, he submitted a site plan requesting approval for outdoor storage in the rear using a combination of empty truck trailers and fencing with two different uses proposed, that being a heavy equipment repair facility and that of a long term storage/junk yard.

The applicant does not meet any requirements for 'Long Term Storage', other than not being located next to a residentially used/zoned property. It is recommended the Planning Commission deny the applicant a 'Special Use Approval Hearing' based on the applicant not meeting ordinance requirements. The applicant may appeal this decision to the Zoning Board of Appeals.

Mr. Toodzio stated he wants to return to heavy equipment repair and would need behind property storage of vehicles. This storage area would not be visible from the road and should not require fencing.

Per Kirk Lavigne no motion is required on this item until further details are obtained. Gerry Mason inquired as to what is required from the applicant to get this in action. Trustee Reno added full engineered Site Plan would be needed. Member Sebastian commented the fencing should be taken into consideration for screening purposes so as not to have to return.

The applicant will return for the May meeting.

(f) Proposed Addition to Connect the Structures Located at 2043 and 2031 International Way for Apeters Properties LLC, Smiths Meat Packing, Owner Anthony Peters.

Anthony Peters, owner and Bill Vogan, architect were on hand for discussion. The applicant is proposing a project to combine the existing Smith Meat Packing slicing and packing plant at 2043 International Way with the newly acquired 2031 International Way building. The buildings are forty (40) feet apart and requires access to the new building under one roof. The addition will be 40' x 200' with approximately 1,000 square feet of covered outdoor seating for an employee break area (Covid spacing). Also, to be added are two employee restrooms in the 2031 building. The 2031 building will be for box storage and assembly with the addition of 7,000 square feet divided between a cooler and a freezer with a walkway in between. A survey is currently being worked out.

Kirk Lavigne added a footing permit could not be issued until the Planning Commission reviewed and approved. Confirmation regarding the condominium easement to show common elements between the buildings has been received and the document has been drafted and signed. Modifications to the site plan are being drawn up.

Comments from the Members included:

- Trustee Reno inquired if it would now be under one description and when a complete engineered site plan would be submitted and if sprinkling requirements would need to be in place. Does not feel comfortable approving anything until the engineered site plan is up for review.
- Member Faust inquired if storm water consideration needs to be addressed.
- Member Kovach inquired if there was adequate access for fire trucks.
- Vice-Chairman Smith commented on the need of an engineered site plan to be reviewed before approval.

Motion by Trustee Reno, support by Member Kovach, requesting an engineered site plan with review from the Fire Chief before approval. Trustee Reno also was for a Special Meeting if required to get this done. Hearing no further comments, Vice-Chairman Smith called for a voice vote. All in favor, waiting on the Site Plan before approval.

11. Reports

(a) Township Administration Update – Kirk Lavigne

- *Proposed zoning ordinance changes to Section '40-666 Accessory Buildings and Structures' for the placement of 'Storage and/or Shipping Containers':* Not yet completed, but did receive approval for the fencing ordinance.
- *Summary of Medical Marijuana Caregiver regulations, Home Occupation and Regulated Uses Information:* Still being drafted but it appears the consensus is to allow medical marijuana/caregiver growth only in light and heavy industrial districts for one caregiver and five patients.
- *Recently approved construction at 1750 Range Road, Ace Paving and 3860 Griswold, CJ's Bar and Grill, as well as a number of proposed residential units.* A fire hydrant has been approved for installation at the asphalt company; improvements underway for CJ's Bar and Grill due to Covid requirements.

(b) Township Board – John Reno

- Construction to resume on several water mains.
- Pump stations being worked on.
- DPW has new equipment for testing on water valves.
- DPW has hired a new employee.
- Parks has a new person on board for the Beach Road Park #3.

(c) Zoning Board of Appeals

- The Medical Marijuana Caregiver issue took a lot of heat as many residents are not in favor of this request. It is still being reviewed for possible relocation to get it away from residential areas.

12. Adjournment

Motion by Member Faust, support by Member Coveyow, at 8:14 P.M. to adjourn. Hearing no objections, Vice-Chairman Smith called for a voice vote. All in favor, the meeting was adjourned.

Submitted by Betty Child