



CHARTER TOWNSHIP OF PORT HURON

3800 Lapeer Road
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Planning Commission Agenda Thursday, October 1st 2020 at 7:00 pm

Under Governors Orders everyone that is present must wear masks and Social Distance

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of Minutes – August 6th 2020
 - a. No Meeting - September
6. Correspondence
7. General Public Comment
8. Public Hearings: None
9. Old Business:
 - a. Site Plan Review for the proposed addition of an Office/Waiting Facility with additional parking to be located at “The Dance Co.” at 1545 Michigan Rd, Parcel # 74-28-800-0015-100. Brian And Laurie Langolf.
 - b. Site Plan Review for the proposed combination office and warehouse to be located at 2413 White Street. Parcel # 74-28- 360-0030-000. Ed Quain.
 - c. Site Plan Review for previously approved Rustproofing facility located at 4436 Lapeer Rd, Parcel #74-28-006-4015-000. Al & Julie Hastings.
10. New Business:
 - a. Discussion regarding proposed ordinance changes to the existing “Section 40-666 Accessory Buildings and Structures” to include “Donation, Mail, Paper and Food Box Structures” and re-introduce allowances for “Handicap – Ramps”.
 - b. Discussion regarding proposed ordinance changes to the existing “Section 40-737 Fences” to allow greater flexibility and review for fences.
 - c. Discussion regarding proposed ordinance changes to Section 40-698 Home Occupations; Prohibited Uses to address issues that have arisen in recent years.
11. Reports
 - a. Kirk Lavigne – Update
 - b. Township Board Report – John Reno
 - c. Zoning Board of Appeals Report – Jerry Sebastian
12. Adjournment

*October is...
Breast Cancer Awareness Month*





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MINUTES OF THE REGULAR MEETING FOR THE CHARTER TOWNSHIP OF PORT HURON PLANNING COMMISSION HELD THURSDAY, OCTOBER 1, 2020, 7:00 P.M., TOWNSHIP HALL, 3800 LAPEER RD, PORT HURON, MI 48060

1. **Call to Order**

The Meeting was called to order by Chairman Jerry Sebastian at 7:00 P.M.

2. **Pledge of Allegiance**

3. **Roll Call**

Attended: Laura Covyew, Sheri Faust, Trustee John Reno, Jerry Sebastian, Ivan Smith, and Stephen Tetreau.

Absent: Mark Kovach.

Also Present: Building/Planning/Zoning Administrator Kirk Lavigne, Al Hastings, Terry Hendrick, Brian Langolf, Laurie Langolf, Melissa McCracken, Ed Quain, and Recording Secretary Betty Child.

4. **Agenda Approval**

Motion by Member Faust, support by Member Smith, to approve the amended agenda as distributed. Hearing no objections, Chairman Sebastian called for a voice vote. All in favor, the agenda was approved.

5. **Approval of Minutes, August 6, 2020**

Motion by Trustee Reno, support by Member Tetreau, to approve the minutes as distributed. Hearing no objections, Chairman Sebastian called for a voice vote. All in favor, the minutes were approved.

For the record, the September 3, 2020 Meeting was cancelled due to lack of business.

6. **Correspondence**

A letter from Rick (Al) Green regarding fences was read into the minutes expressing his concerns that a 6' fence be allowed to be extended into his side yard setback on his corner lot, which is currently not allowed.

7. **General Public Comment**

Melissa McCracken, 3119 Strawberry Lane, was present to speak about a letter she received regarding the fence that was constructed without a permit. This item to be addressed under the topic for fence ordinance changes. There being no further comments, Chairman Sebastian moved to the Public Hearings.

8. **Public Hearings**

There being none, Chairman Sebastian moved to Old Business.

9. **Old Business**

(a) Site Plan Review: Parcel #74-28-800-0015-100, also known as 1545 Michigan Road, Owners Brian and Laurie Langolf. Proposed addition of an Office/Waiting Facility with additional parking for "The Dance Company".

Per an E-mail directive from Michael Leuffgen, DLZ Engineer, the hand sketch provided by the applicant did not meet requirements set forth in the Township Zoning Ordinance. It was suggested the applicants work with a qualified design professional and provide a plan that meets requirements of Zoning Ordinance Article II, Division 2 as well as the Township Engineering Design Standards. A review letter with requirements was presented.

Comments from the floor included:

- Kirk Lavigne: The applicant was also requesting the addition of a garage. A footing permit was issued for the office and garage subject to submittal of engineered plans and payment of fees for engineering and Site Plan Review. Both the DPW and the Fire Department reviewed and approved the site plan prior to the requirement for developed engineered plans. It was suggested the applicant submit a refundable \$5,000 cash bond.
- Trustee Reno: Since this request was just received on September 29th, more time was needed to review the requirements set forth by DLZ with the possibility of obtaining a bond. He further added they were previously approved for the 1,200 square foot structure but now were requesting additional structures which would require engineered review and approval.
- Laurie Langolf: Stated there is an existing storm drain and the surface is asphalted. She had concerns due to the office shut down and obtaining necessary information for this project due to the Covid 19 issue. She felt the lack of communication was causing a hardship for the development of this project.
- Chairman Sebastian: Summed up the requirements were for an engineered site plan, a \$5,000 cash bond based on the required approvals/permits as outlined in the DLZ memo.

Motion by Trustee Reno, support by Member Smith, to approve subject to submittal of a full engineered site plan, a \$5,000 cash bond and necessary permits as outlined in the DLZ Memo #2045-7181-00. Hearing no further comments, Chairman Sebastian called for a voice vote. All in favor, the motion carried.

(b) Site Plan Review: Parcel #75-28-360-0030-00, also known as 2413 White Street, Owner Ed Quain. Proposed combination office and warehouse.

The applicant requested construction of a combination 1,800 square foot office/warehouse, which would be considered the main use. The proposed use complies with the B-3 General Business Zoning, but it appears variances for side yard setbacks, as well as additional parking, screening and landscaping may be required.

Per an E-mail directive from Michael Leuffgen, items to be addressed included:

- Side and rear setback requirements for B-3 due to building height.
- Use not specified.
- Provide adequate screening.
- Drive width is less than Township Minimum requirements and will require a variance and St Clair County Road Commission permit.
- ADA standards for ADA parking, building access and sidewalks must be met.
- Loading zone requirements must be met and may require a variance.
- Per Section 40-786 (e) (2), aisle between parking spaces is not wide enough.
- Stormwater management must comply with St Clair County Drain Commission standards.
- Signs and landscaping need to conform to Township standards.

Owner, Ed Quain, stated there has been a slow down due to the Covid 19 issue which is causing construction issues. The building size has been reduced to 1,400 square feet, rather than the 1,800 square feet as requested. The North and East side of the property is screened from residential areas. Parking has been modified per previous request.

Member comments included:

- Trustee Reno: Expressed concerns with the off-street parking, the required engineering approval as well as approval from the Road Commission. He also questioned the issue of deliveries to the site and a loading zone.
- Member Coveyow: Inquired about the intended use of the building if not used for office purposes. She stated she was in favor of the building request.
- Member Smith: Questioned the building height and what of the engineer's list was the toughest to comply.
- Member Faust: Questioned if variances would be required to meet storm drain requirements.
- Member Tetreau: Inquired about the alley as to whether it had been vacated.

Motion by Member Faust, support by Trustee Reno, to approve subject to submittal of engineered site plans as outlined in the memo, approval from the Drain Commission and any required variances for the loading zone and screening. Hearing no further comments, Chairman Sebastian called for a voice vote. All in favor, motion carried.

(c) Site Plan Review: Parcel #74-28-006-4015-000, also known as 4436 Lapeer Road, Owners Al and Julie Hastings. Previously approved rustproofing facility.

The applicant was originally granted Site Plan/Special Use Approval for minor auto repair in July 2015 for oil changes and brakes. They have decided not to pursue the major body repair and wish to proceed with the corrosion free rust proofing. The existing small garage has been torn down to make way for the proposed 100' x 60' building at the back of the property, which will be significantly downsized with engineering as determined necessary by the Township engineer. An application and fees for additional review were submitted as the original site plan had expired.

Per Michael Leuffgen minor suggestions were recommended prior to site plan approval. The Fire Department has reviewed and approved. Parking adjustments must be made and fencing on the residential side is required.

Motion by Trustee Reno, support by Member Tetreau, to approve subject to submittal of engineered site plans and requirements, Fire Department approval, changes to parking and Drain Commission approval. Hearing no further comments, Chairman Sebastian called for a voice vote. All in favor, motion carried.

10. New Business

(a) Discussion regarding proposed ordinance changes to the existing 'Section 40-666 Accessory Buildings and Structures' to include 'Donation, Mail, Paper and Food Box Structures' and re-introduce allowances for 'Handicap Ramps'.

Members discussed the proposed changes to the ordinance regarding donation, mail, paper, and food box structures as well as reintroducing allowances for handicap ramps.

Member Faust requested a change under #4 Commercial, #10, the number of days be changed to ninety (90) rather than sixty (60).

Trustee Reno commented these proposed changes gives the Township the say as to where these items can be placed.

Motion by Member Coveyow, support by Member Faust, to recommend the proposed changes to the ordinance along with the correction to the number of days in Commercial #4, #10, and set a Public Hearing for approval. Hearing no further comments, Chairman Sebastian called for a voice vote. All in favor, motion carried.

(b) Discussion regarding proposed ordinance changes to the existing 'Section 40-737 Fences' to allow greater flexibility and review for fences.

Kirk Lavigne presented proposed revisions due to issues that have arisen over the years and due to erection of fences without permits during Covid 19 pandemic. Several fences were put up without permits during this time and all have been notified. Melissa McCracken was one such homeowner and inquired if she was in violation. Until the proposed ordinance changes have been approved these homeowners will not have to take action.

Motion by Member Smith, support by Trustee Reno, to table discussion on this item until the Members have more time to review the proposed changes. Hearing no further comments, Chairman Sebastian called for a voice vote. All in favor, item tabled.

(c) Discussion regarding proposed ordinance changes to 'Section 40-698 Home Occupations'; Prohibited uses to address issues that have arisen in recent years.

Motion by Member Smith, support by Trustee Reno, to table discussion on this item until the Members have more time to review the proposed changes. Hearing no further comments, Chairman Sebastian called for a voice vote. All in favor, item tabled.

Terry Kendrick, 3936 Ravenswood Road, was present to discuss a letter she received about fence modifications. At this time, no action was taken as revisions to the fence ordinance are pending.

11. Reports

(a) Township Administration – Kirk Lavigne

- Dollar General on Dove Road soon to be completed and opened.
- Ordinance changes and Master Plan changes are still in review.

(b) Township Board – John Reno

- Fireworks: A first reading was made on the use of fireworks in the Township and is being looked at for state mandates.

(c) Zoning Board of Appeals – Jerry Sebastian

- Sign variance for Dollar General at 4363 Dove Road due to its location.
- Lee's Auto & Truck Repair granted a variance to sell used autos.
- George Lockwood, 4387 Lapeer Road, granted a variance for his injection mold facility.

12. Adjournment

Motion by Member Smith, support by Member Faust 9:29 P.M. to adjourn. Hearing no objections, Chairman Sebastian called for a voice vote. All in favor, the meeting was adjourned.

Submitted by Betty Child