

**CHARTER TOWNSHIP OF CANTON  
PLANNING COMMISSION PROCEEDINGS  
April 9, 2018**

A Regular meeting of the Planning Commission of the Charter Township of Canton was held at 1150 South Canton Center Road on Monday, April 9, 2018 Chairman Greene called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance to the Flag.

**ROLL CALL:**

Members Present: Acharya, Bennett, Eggenberger, Engel, Graham-Hudak, Greene, Okon, Perkins and Zuber

**STAFF PRESENT:** Goulet

**APPROVAL OF THE MINUTES OF MARCH 5, 2018**

Motion by Zuber, supported by Perkins, to accept the Minutes of March 5, as presented. Ayes all present on a voice vote.

**ACCEPTANCE OF AGENDA:**

Motion by Zuber, supported by Perkins, to accept the Agenda as presented. Ayes all present on a voice vote.

**SITE PLANS**

1. 129-ZCSS-4763 **HOME DEPOT SEASONAL SALES MICHIGAN AVENUE** – Consider seasonal sales permit for parcel no. 129 99 0001 701. Property is located north of Michigan Avenue and west of Canton Center Road.

Mr. Goulet stated that Home Depot has applied for two 30-day seasonal sales permits for garden supply sales in front of the existing garden center enclosure at the Home Depot located on Michigan Avenue west of Canton Center Road. Mr. Goulet indicated that the requested permit period is from April 24, 2018 through June 22, 2018. Mr. Goulet stated that the requirements has resulted in the following findings:

1. The existing site has a special land use approval for the outdoor garden center that permits outdoor display and seasonal sales of goods within an enclosed area as constructed.
2. The purpose of the seasonal sales permit is to allow a temporary point of sales display for those businesses that don't have permanent outdoor. It is not the intent to use this permit to store excess materials outside of the permitted enclosures.
3. The proposal to place three 6' X 10' tables, several racks for display and sale of live goods is outside of the existing garden center enclosure, 8 parking spaces on the west side of the garden center for pallets of mulch, topsoil and sod, and an A-frame plant

display at the front entrance. This is the same request approved by the Planning Commission last year.

4. A compliance permit may be required from the Building Services Division prior to placement of the tables or racks to ensure compliance with the terms and conditions of the seasonal sales approval.
5. The permit period commences on the date the tables and materials are placed. These items shall be removed at the end of the permit period.

Chairman Greene inquired if items that are outside are brought inside after the store closes. Mr. Rob Lancioni explained that the larger storage items such as mulch remain outside away from traffic for customers to load into their cars easier. Mr. Lancioni explained that excess mulch is stored outside on the side of the gated garden center. Chairman Greene stated that Home Depot has been good about the rules and regulations of outside storage.

Motion by Zuber, supported by Okon, to move to approve two 30-day seasonal sales permit for Home Depot on Michigan Avenue (parcel no. 129-99-0001-701) commencing on April 24, 2018 and ending on June 22, 2018 for sale of live goods, bagged mulch and topsoil as shown on the plans.

Ayes: Acharya, Bennett, Eggenberger, Engel, Graham-Hudak, Greene, Okon, Perkins and Zuber

2. 049-ZCSS-4774 **HOME DEPOT SEASONAL SALES FORD ROAD** – Consider seasonal sales permit for parcel no. 049 99 0001 718. Property is located south of Ford Road and east of Lotz Road.

Mr. Goulet stated that Home Depot has applied for two 30-day seasonal sales permits for garden supply sales in front of the existing garden center enclosure at the Home Depot located at the southeast corner of Ford and Lotz Roads. Mr. Goulet indicated that the requested permit period is from April 23, 2018 through June 23, 2018. Mr. Goulet stated that an analysis of the requirements has resulted in the following findings:

1. The existing site has a special land use approval for the outdoor garden center that permits outdoor display and seasonal sales of goods within an enclosed area as constructed.
2. The purpose of the new seasonal sales permit is to allow a temporary point of sales display for those businesses that don't have permanent outdoor sales areas. It is not the intent to use this permit to store excess materials outside of the permitted enclosures.
3. The proposal to place three 6' X 10' tables and a rack for display and sale of live goods is outside of the existing garden center enclosure and use of 12 parking spaces on the west side of the garden center for pallets of mulch and topsoil.
4. A compliance permit may be required from the Building Services Division prior to placement of the tables or racks to ensure compliance with the terms and conditions of the seasonal sales approval.

5. The permit period commences on the date the tables and materials are placed. These items shall be removed at the end of the permit period.

The Planning Commission concurred with the request.

Motion by Engel, supported by Zuber, to move to approve two 30-day seasonal sales permits for Home Depot on Ford Road (parcel no. 049-99-0001-718) commencing on April 23, 2018 and ending on June 23, 2018 for sale of live goods, mulch and topsoil as shown on the plan.

Ayes: Acharya, Bennett, Eggenberger, Engel, Graham-Hudak, Greene, Okon, Perkins and Zuber

3. 039-ZCSS-4745 **MICHIGAN FIREWORKS COMPANY II** – Consider seasonal sales permit for parcel no. 039 990025-001. Property is located north of Ford Road between Canton Center and Sheldon Roads.

Mr. Goulet stated that Michigan Fireworks Company has applied for one 30-day seasonal sales permit for a fireworks tent sale in the parking lot at Canton Landing near O'Reilly's Auto Parts, located on the north side of Ford Road between Canton Center and Sheldon Roads. Mr. Goulet explained that the requested permit period is from June 20, 2018 through July 8, 2018 and that an analysis of the requirements has resulted in the following findings:

1. The site is not in compliance with the site plan and Ordinance Enforcement has been working with the property manager over the past year to replace dead trees and landscaping in the parking lot islands and on the site. A recommendation will not be made to approve the permit until the site is in compliance. Failure of the landlord to comply prior to commencement of the permit period will result in Building Services denial of the permit to erect the tent.
2. Permits will be required from the Building Services Division prior to placement of the tent. Any proposed signs on the tent shall also be submitted to Building. No temporary signs can be placed in the landscaped berm on Ford Road.
3. The 30 day period commences on the day the tent is erected. These items shall be removed at the end of the permit period.

Mr. Goulet recommended tabling the requested establishment until compliance of the sight by the land owner has been addressed. Mr. Goulet indicated that the project representative also was not in attendance. Mr. Goulet explained that fireworks sales typically do not start until July. Commissioner Graham-Hudak inquired as to what has occurred between this year and last year. Mr. Goulet explained that Code Enforcement tried contacting the property owner to get the site into compliance however, the property owner had not been cooperative. Mr. Goulet explained that they did not want to penalize the applicant last year but the owner has not done anything to get into compliance this year.

Motion by Engel, supported by Zuber, to table the item #3, Michigan Fireworks Company.

Ayes: Acharya, Bennett, Eggenberger, Engel, Graham-Hudak, Greene, Okon, Perkins and Zuber

4. 094-SPD-3865 **AUTUMN RIDGE APARTMENTS** – Consider site plan approval for parcel no. 094 99 0001 001. Property is located south of Cherry Hill Road and west of Lotz Road.

Mr. Goulet stated that the project sponsor proposes a townhouse complex of 18 units housed in two buildings to be located south and east of earlier phases of Autumn Ridge on the west side of Lotz Road south of Cherry Hill Road. Mr. Goulet stated that since the project is adjacent to and being integrated into the existing apartment project, variances were approved by the Zoning Board of Appeals to the north side yard setback of 60 feet to permit space for parking, garages, and buildings; and the west side rear yard setback of 60 feet to 31 feet. Mr. Goulet explained that the plan must comply with the 50 percent brick requirement of the Zoning Ordinance, provide a modified unit planting bed layout, and provide a Public Safety fire lane sign plan.

Mr. Michael Tobin, project representative, explained that they will be adding 18 townhomes all with separate one car garages. Mr. Tobin indicated that the garages were included in the brick calculation which was required to be calculated separately. Mr. Tobin explained that the brick calculations will be re-adjusted to reflect the correct percentage.

Commissioner Graham-Hudak inquired of the entrances and sidewalks. Mr. Tobin explained that there will be 2 entrances at Lotz Road. Mr. Goulet explained that there will be sidewalks along Lotz Road and that the Township is working with Wayne County to place a pathway in along Cherry Hill Road to connect to the I-275 pathway system. Commissioner Graham-Hudak inquired of ADA compliancy for the townhomes. Mr. Tobin explained that townhouses are exempt, however the apartments fall under the fair housing requirement and that the remaining 168 units will have handicap access units. Mr. Goulet explained that it is dependent upon which building code the developer will decide to build. Mr. Goulet explained that the townhouse code states that each unit must have individual leads but under the R-2 building code, one lead for each building is required for rental units.

Chairman Greene indicated that each unit has a 1 car garage. Mr. Goulet explained that this is typical for apartments as they are rental units and not ownership units. Mr. Tobin explained that there is one parking spot in the garage with one in front of the door along with parking in the parking lot.

Chairman Greene stated that the elevations deserve more attention and inquired of the criteria for the exterior elevations. Mr. Tobin explained that the main criteria was for the exterior of the buildings to be maintenance free. Mr. Tobin stated that one will not view much of the building as the garages are located in the front. Chairman Greene inquired of the south elevation. Mr. Goulet indicated that additional brick will need to be added on the visible portion of the building. Chairman Greene suggested adding shutters or dormers to the buildings. Mr. Tobin stated that they would not be receptive to shutters as they are difficult to maintain and replace. Mr. Tobin explained that additional brick will be added to the buildings.

Mr. Goulet stated that he would recommend running the brick up where there are vertical elements to help break the horizontal appearance of the building. Chairman Greene stated that the building needs more visual appeal. Commissioner Zuber suggested adding a roof feature over the front porch area to help with visual appeal. Mr. Tobin stated that there are roofs over the front doors but no shown on the site plan. Mr. Goulet requested that the roof feature is shown on the site plan. Commissioner Engel inquired as to the appearance of the garage doors. Mr. Goulet indicated that the doors are standard square garage doors with brick on the lower portion with a gable roof and garage door in front. Commissioner Graham-Hudak inquired of the closest local park. Mr. Tobin stated that there is a park area on the site with a pond and benches. Mr. Tobin indicated that Cherry Hill Condominiums has a pool which will be shared by both developments as they are owned by the same owners.

Commissioner Graham-Hudak verified the fire entrances and exits on the site and inquired of a curb cut. Mr. Goulet stated that access is at Douglas Drive and that there are no curb cuts proposed for Lotz Road.

Motion by Engel, supported by Zuber, to move to recommend approval of the site plan for Autumn Ridge Townhouses on tax parcel nos. 094-99-0001-001 and 094-99-0001-002 conditioned on providing acceptable brick façade coverage, a modified planting bed layout, and a Public Safety fire lane sign plan and conditioned upon providing acceptable brick facade coverage.

Ayes: Acharya, Bennett, Eggenberger, Engel, Graham-Hudak, Greene, Okon, Perkins and Zuber

Mr. Goulet announced that the project representatives had arrived for the Michigan Fireworks project which was tabled earlier and can be reconsidered.

5. 039-ZCSS-4745 **MICHIGAN FIREWORKS COMPANY II** – Consider seasonal sales permit for parcel no. 039 990025-001. Property is located north of Ford Road between Canton Center and Sheldon Roads.

Motion by Graham-Hudak, supported by Perkins, to remove from the table Michigan Fireworks Company II. Ayes all present on a voice vote.

Mr. Goulet asked the project representative if they have had discussion with the land owner of the outstanding items previously discussed. Mr. Konopka stated that he was not aware of the conditions that were placed with the property owner. Mr. Konopka inquired as to why the stipulation was placed with his business as it is not his issue with the outstanding items. Mr. Goulet explained that a land use approval is being requested on the owner's site. Mr. Goulet explained that the Township has been working with the owner to get the site into compliance for outstanding issues and has not responded to the requests. Mr. Goulet stated that the recommendation is to not issue a permit to allow the use on the site until the site is in compliance. Mr. Konopka stated that his business is being impacted and is hurting a family business by placing this condition on his request. Mr. Konopka explained that his business is per code regulations and that he shouldn't be discriminated against because of outstanding landscaping issues on the owner's site.

Mr. Goulet explained that the owner has made no effort to make any improvements to the site and that he needs to contact the Township. Mr. Goulet stated that the landscape islands do not have vegetation and that the irrigation is in need of repair. Mr. Goulet stated that these issues can be taken care of before the Michigan Fireworks establishment would open in the summer. Commissioner Bennett inquired if a citation from code enforcement was issued last year. Mr. Goulet explained that the site has been under violation. Mr. Konopka indicated that he has paid his lease in full for the site and ordered \$20,000 in fireworks. Commissioner Bennet stated that she was concerned of setting a precedent for other business owners who have paid the lease ahead of time. Commissioner Bennett inquired as to how one can enforce the outstanding issues are done if there is no incentive. Commissioner Okon stated that he was receptive to allowing the business to proceed this year but not next year if the site is not in compliance. Chairman Greene stated that the issue is with the landlord of the site and was receptive to allowing the request for this business for this year only. Commissioner Acharya stated that by allowing this business to move forward a precedent is being set. Commissioner Perkins stated that this issue would not set a precedent but it is known that this will not be allowed in the future.

Motion by Zuber, supported by Perkins, to move to approve one 30-day seasonal sales permit for the Michigan Fireworks Company, (parcel no. 039-99-0025-001) commencing on June 20, 2018.

Ayes: Engel, Okon, Perkins, Greene, Zuber  
 Nayers: Acharya, Bennett, Eggenberger, Graham-Hudak

**NEW BUSINESS-STAFF REFERRAL**

- 5. 074-SFP-4775 **RIVER HILL RIDGE AT CHERRY HILL VILLAGE PHASE 3** – Refer review of final site plan to staff for parcel nos. 074 99 0008 715 and 074 99 0010 710. Property is located east of Ridge Road between Cherry Hill and Proctor Roads.
- 109-DIR-4744 **JOHN C. LASKO TRUST** – Refer review of developer instigated revision to an approved site plan to staff for parcel nos. 109 99 0004 702 and 109 99 0002 723. Property is located west of Canton Center Road and south of Palmer Road.
- 086-SPC-4738 **PRIMROSE OF CANTON** – Refer review of site plan to staff for parcel no. 086 99 0002 701. Property is located east of Canton Center and south of Cherry Hill Road.

Motion by Zuber, supported by Perkins, to refer the Item 5 site plan to staff. Ayes all present on a voice vote.

**NEW BUSINESS-SET PUBLIC HEARING FOR MAY 7, 2018**

- 6. 133-SLU-4760 **SYMMETRY PROPERTY** – Set public hearing for May 7, 2018 to consider special land us for parcel nos. 133 02 0040 008, 133 02 0040 010 and 133 02 0040 011. Property is located south of Michigan Avenue between Sheldon and Morton Taylor Roads.

073-PDM-4764      **THE TOWNS AT CHERRY HILL** – Set public hearing for May 7, 2018 to consider minor PDD for parcel nos. 073 99 0001 707 and 073 99 0005 718. Property is located south of Cherry Hill Road between Ridge and Denton Roads.

Motion by Okon, supported by Perkins, to set the Item 6 public hearing for May 7, 2018. Ayes all present on a voice vote.

**REPORTS, DISCUSSION AND CORRESPONDENCE**

**ADJOURN.**

Motion by Zuber, supported by Perkins, to adjourn the meeting. Ayes all present on a voice vote.

Connie Wade  
Recording Secretary