

**FINAL
CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, January 8, 2024
2009 Township Drive
Commerce Township, Michigan 48390

A. CALL TO ORDER: Chairperson Parel called the meeting to order at 7:00pm.

ROLL CALL: Present:

Brian Parel, Chairperson
Brian Winkler, Vice Chairperson
Joe Loskill, Secretary
Bill McKeever
George Weber
Brady Phillips

Absent:

Sam Karim (excused)

Also Present:

Dave Campbell, Township Planning Director
Paula Lankford, Senior Planner
Mark Gall, Township Fire Marshal

B. APPROVAL OF AGENDA

Chairperson Parel – A recommendation was made that we swap Item I2 with Items H1 and I1. Dave, are you good with that?

Dave Campbell – I have no objection. If we had a big turnout for the public hearing, I might suggest otherwise, but we do not.

MOTION by Phillips, supported by Loskill, to approve the Planning Commission Regular Meeting Agenda of January 8, 2024, with the proposed change to swap Item I2 with Items H1 and I1.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Winkler, supported by Loskill, to approve the Planning Commission Regular Meeting Minutes of December 4, 2023, as written.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Bill McKeever – Zoning Board of Appeals

- We have not had an agenda since our last meeting.

Brian Winkler – Downtown Development Authority

- The December 19th DDA meeting can be summarized as follows.
- It was Bob Sackleh's first DDA meeting. With his extensive financial background, he will serve as the Finance Chairperson. Welcome aboard Bob!
- The OCSO Substation will be completed and occupied within the next few weeks.
- Insite Commercial Report:
 - Parcel B1-Phase 1 - Aikens 5 & Main:
 - Bruce Aikens has noted that he has achieved a pre-leasing rate of 75%, which is a key threshold for obtaining financing.
 - Aikens will close with Continental on the residential component of the project sometime in February or March.

- Parcel J1-Oakley Park and ~~Pontiac Trail~~ **Haggerty Road:**
 - A purchase agreement for the full price of the property has been received.
 - DDA counsel is working through the purchase agreement with the petitioner.
 - The PC reviewed a preliminary site plan for this development late last year.
- The 2023 DDA budget amendments and the final 2024 DDA budget were approved.

Chairperson Parel inquired about the 75% leasing for 5 & Main. Weber clarified that those are letters of intent, but they're not under contract yet.

Jay James – Building Department

In Jay's absence, Dave Campbell noted the following:

- The monthly permit report is in the packet.
- The big thing on the horizon is the Springs at 5 & Main, the residential component. They want to get in for permitting tomorrow if they can, in their efforts to break ground as soon as Mother Nature will allow in the spring.

George Weber – Township Board of Trustees

- The December 12th meeting was primarily centered around the Township budget. We did approve the budget and all employee pay scales. In addition, Parks, Library, Planning Commission and ZBA Board members will be getting an increase to make ourselves more competitive with surrounding communities. Your compensation is going from \$85 a month to \$100 per month.
- We also approved the meeting schedules for 2024, which I think Dave has already sent out for the Planning Commission.
- We approved the AFSCME union contract. That's similar to the Fire union contract; it's a 5-year agreement.
- We approved the Lystegrow marketing agreement, which is the Lystek sewage treatment process, where rather than sending the sewage to a landfill, we're actually turning it into a Class-B fertilizer that will be sold to neighboring agricultural and farm sites.
- The Open Space millage comes to an end in 2024. That is the Parks & Recreation millage, which will be on the August ballot. That's a very important one to make sure we get that passed.

E. PUBLIC DISCUSSION ON MATTERS FOR WHICH THERE IS NO PUBLIC HEARING SCHEDULED

Chairperson Parel opened to Public Discussion on matters for which there is no public hearing scheduled.

No comments.

Chairperson Parel closed Public Discussion on matters for which there is no public hearing scheduled.

F. TABLED ITEMS

None.

G. OLD BUSINESS

None.

>>Item I2. was moved up on the agenda under Approval of the Agenda.

ITEM I2. TACO BELL – CONCEPTUAL REVIEW

PEA Group of Auburn Hills MI, representing Black River Bells is requesting a conceptual review for a new Taco Bell drive-through restaurant located at 3252 & 3260 Pontiac Trail. PIN# 17-24-476-019, -021, & -023

Dave Campbell gave a review of the Planning Department's report. PEA Group has submitted a concept plan for a drive-through Taco Bell on the south side of Pontiac Trail just west of Haggerty, across from Walmart, between the existing Sonic and the Michigan Schools & Government Credit Union. The site is currently comprised of two houses that would be demolished. Both properties are zoned B-2, Community Business, a zoning district that allows restaurants as a principal permitted use, so no zoning change would be necessary for this project. However, B-2 only allows the proposed drive-through as a Special Land Use.

As with any Special Land Use, there are 8 criteria within Article 34 of the Zoning Ordinance. The one that often generates the most conversation at this level is documented and immediate need for the use. We also look at whether it is consistent with the other existing and planned land uses in the vicinity. Obviously, in this vicinity, the aforementioned Sonic, the existing Walmart, and the existing credit union with a drive-through, and perhaps more significantly, the forthcoming 5 & Main on the north side of Pontiac Trail. The Master Plan shows general commercial, which is our highest intensity land use category for commercial retail use.

Dave reviewed access and circulation on the aerial and explained the contemplated interconnection with the Sonic site. He also discussed storm water retention and the updated proposed elevations. He explained that this is an opportunity for the Planning Commission to provide informal and non-binding comments.

Lucas Driesenga, Civil Engineer, PEA Group, 1849 Pond Run, Auburn Hills, MI, was present on behalf of their client, Black River Bells, to discuss the proposal.

Lucas Driesenga – I think Dave did a pretty good job giving an overview of the site. We've got one new entrance and we were told by the Road Commission to keep that as far away as possible from the existing Sonic entrance. So, we have that pushed all the way to the south. As you can see, we will have the ordering menus behind the building, and the pickup and pay windows will be to the east, which is also the same layout that Sonic uses next door.

I would like to be mindful of everyone's time tonight. With that, I'm hoping to get any general concerns you might have with the site layout, the building itself, and anything we might be able to address before we submit for site plan approval.

Chairperson Parel – Thank you. I appreciate it. Dave, before we get into it, the adjacent Sonic is accessible from two roads, correct?

Dave Campbell – Yes, there is kind of a back entrance via Haggerty Road.

Chairperson Parel – We don't anticipate any issues with another building now using that back entry?

Dave Campbell – If anything, I could argue that it's actually a benefit to the site that there's multiple points of ingress/egress, both from a traffic circulation standpoint, and from an emergency response standpoint.

Speaking of emergency response, while I have the microphone, the Fire Marshal pointed this out and it's something we will have to look at, from a drive-through circulation standpoint. This radius here, as folks are circulating and coming around this corner, if this were to queue backwards, it would be challenging to get a vehicle, let alone a fire truck, around this corner. We may want to have some conversations with PEA and their client about the potential to shift things eastward. That could be resizing the pond, or reviewing whether the parking spaces along the east are necessary. The site is seemingly well parked for a Taco Bell, so that might warrant conversation of whether all the parking is necessary. Eliminating some of that parking may be a way to provide for better emergency response circulation.

Chairperson Parel – Again, this is a non-binding conversation. It sounds like you're familiar with that. We can just go down the line.

Commission Comments:

Winkler – I don't have any questions. In reviewing the site plan, I did have one suggestion. That is, because this site is right off of Pontiac Trail, that the petitioner consider putting a wider, two-lane entry into the site, similar to the Sonic site, and that's given the heavy traffic you see on Pontiac Trail. I think that would help the site circulation. I'm not sure what limitations there might be on the number of curb cuts per lineal feet of roadway.

Phillips – No comments.

Loskill – I like the revised elevations and I like the way you screened all of the rooftop equipment. I'm good. I don't have anything else to add.

Weber – I also like the revised elevations. It's straightforward. I have no other comments and no issues.

McKeever – None from me either.

Parel – I only have one comment. Dave, it's not a surprise; you've frequently made comments about where we would put a Taco Bell in this community, and I think I agree with you that if we're going to put one somewhere with a drive-through, this makes sense.

Dave Campbell – If I were in Lucas' position, I might want to be able to go back to my client and give them a sense of whether this is a worthwhile project to push ahead with.

Based on what I'm hearing, it sounds like it would be. It has to be a good looking Taco Bell. On the spectrum of Taco Bells, this has to be the highest.

Chairperson Parel – What is your thought on next steps and timing?

Lucas Driesenga – Based on the conversation today, I think we can engage with the Fire Department on the site plan process and address any concerns with accessibility for the fire truck getting all the way around the building. I know Taco Bell likes to see about 25 spaces for parking, but that varies from site to site. Right now, there's 27 spaces shown. I think the client would be open to less spaces so we might have room to work with.

Based on tonight, it seems like a good option to move forward. We will go back to our client. As far as getting the drawings ready and submitted, the end of the month could be a realistic expectation.

Chairperson Parel – Is there an opportunity to get it on next month's docket?

Dave Campbell – Because it is a Special Land Use, and with all of the noticing requirements that go along with that, it pushes things. It might be at the March meeting.

Discussion took place regarding the potential for another Taco Bell location in Walled Lake.

H. SCHEDULED PUBLIC HEARINGS

ITEM H.1. PSU23-03 – LAKESIDE MARINE – SPECIAL LAND USE - PUBLIC HEARING

Lakeside Marine of Commerce MI is requesting approval for two Special Land Uses in the TLM (Technology & Light Manufacturing) zoning district at 3041 Haggerty Road for vehicle (watercraft) repair and accessory outdoor storage. PIN# 17-24-200-017

I. NEW BUSINESS

ITEM I1. PSP23-15 – LAKESIDE MARINE – SITE PLAN

Boboige Real Estate of Commerce MI is requesting site plan approval for a boat repair & storage facility located at 3041 Haggerty Road. PIN# 17-24-200-017

>>The reviews of Items H1 and I1 were discussed concurrently.

Chairperson Parel – Dave, we've spoken with these gentlemen a few times. We have an update tonight and hopefully some decision making.

Dave Campbell – You're correct, Mr. Parel, that Lakeside Marine is a topic that has come before this Planning Commission a couple times. Tonight, it is coming to you in its most formal setting that we've had thus far, which is seeking two Special Land Use approvals, and along with that, site plan approval. The two Special Land Uses are for outdoor storage in the TLM zoning district, and also for vehicle repair in TLM. If those Special Land Uses were to be approved, the site plan encompasses the changes that would be made to the site to allow for those uses. But, as we always say with Special Land Uses, consideration and decisions on the Special Land Uses should come first

because without Special Land Use approval, the corresponding site plan approval is something of a moot point.

I'll pull up the site plan. The existing building is at 3041 Haggerty Road. What's being proposed is for the existing building to remain, although with a facelift, and then a formal outdoor storage area would be added to the site. The outdoor storage area would be enclosed on three and a half sides with a new 8' faux masonry wall along the Haggerty Road side. That faux masonry wall would wrap around the first 30' of the north property line, transitioning to a chain link fence that would have a fabric screen covering on it. That chain link fence would wrap around to the west side of the property, where it would tie into an existing chain link fence. That fence wraps around the remainder of the west, and then the south side where it's shared by Lakeside and the granite installer to the south.

Within the standards for outdoor storage in TLM, there are a number of requirements that the petitioner is seeking a deviation from. Those deviations have to do with the location of the outdoor storage and the manner in which it's screened. The TLM zoning district states that accessory outdoor storage shall only be in the rear yard of the property, so in this case with the rear yard being defined by the rear of the building, the rear yard is this area here. Lakeside would like to extend it into this area, which by zoning ordinance definition is the side yard. What has changed since they brought this to you as a concept, nearly a year ago, is that they pulled it back so the easterly extent of the outdoor storage area would align, not only with the existing Lakeside building, but also with the building face for Newmyer Renovations, which is the building immediately next door to the north. In previous iterations, they tried to push the outdoor storage as close to Haggerty Road as they could. In this iteration, they're pulling it back to be in line with the two existing buildings.

There are also deviations for the type of fence material. The TLM zoning district requires a masonry wall on all sides of the outdoor storage area, and between 6-8' depending on the height of the material to be stored behind that wall. As I mentioned, what's being proposed is a combination of a faux stone fence along the Haggerty side with a fabric covered chain link fence along the north and west sides, tied into the existing chain link fence. Those types of deviations, both the location of the outdoor storage and the manner of screening, are within the authority of the Planning Commission to deviate from if you so choose. In other words, they're not dimensional standards that would have to go to the ZBA. They're Special Land Use standards that the Planning Commission has the authority to deviate from. And, as I mentioned, Lakeside is seeking several deviations from those standards.

They're also seeking some determinations from the Planning Commission relative to the Special Land Use standards. One is a determination relative to vehicle sales. Vehicle sales are prohibited as part of a Special Land Use approval for vehicle repair, but again, the Planning Commission could deviate from that if you were to make a determination that limited vehicle sales are an accessory use, customarily incidental to the Special Land Use, which would be vehicle repair. If the Planning Commission were to make that determination, it would be my recommendation that it be on the condition that vehicle sales be limited to the enclosed outdoor storage area, or within the building. In other words, not within the grassy area between the building, the fence and Haggerty Road, which is historically where Lakeside has displayed and stored vehicles, and equipment and trailers for sale.

The Planning Department is also recommending several conditions of approval if the Planning Commission were to go that route. One has to do with the proposed landscape

plan. The landscape plan has been reviewed by our landscape architect and deemed to be compliant with the landscape standards of the Zoning Ordinance; however, landscaping in the context of screening is more in the realm of the Planning Commission. One of the considerations that the Planning Department thought the Planning Commission should consider is the landscaping along the Haggerty Road side, between the road and the proposed vinyl fence, and whether that landscaping could be revised, not necessarily to increase the landscape planting quantities, but to revise the species proposed. There are some shrubs and trees that are deciduous, and we think that the Planning Commission might want to consider evergreen plantings that would have year round foliage, but also would be of a species that would grow tall and relatively quickly, with the hope that they would extend higher than the proposed fence and provide even more screening potential, especially if there are going to be boats behind that screen wall that are taller than 8' in height.

I'm doing my best to cover the highpoints with what is a long story. We have provided recommended motion language within our review letter for both of the Special Land Uses, as well as for the site plan, if the Planning Commission opts to grant approval for any of those. But again, the site plan is secondary to approval of the use. The last thing I'll mention is, because this is a public hearing for two Special Land Uses, we do have to open and close the public hearing. While there doesn't appear to be anyone in attendance who wants to speak, we did get one email from the neighboring property owner, John Newmyer, to the north. I will give a brief summary of that in the public hearing. You all have a copy and Deb will include it in the meeting minutes.

I know Jon Boboige, the owner/operator of Lakeside Marine, his attorney and his architect are here. I assume they want to make a presentation on their own behalf, and answer questions.

Chairperson Parel – Sure. Any questions for Dave before we move on? Okay. We welcome you gentlemen up if you'd like to speak.

Jon Boboige, Lakeside Marine, 3041 Haggerty Road, Commerce Township, was present along with Attorney Dominic Silvestri, 37911 W. 12 Mile Road, Farmington Hills, and Joe Novitsky, JSN Architecture, 3856 12 Mile Road, Royal Oak, MI.

Attorney Silvestri – Your Planning Director has provided a very good summary with respect to the Special Land Use requests and the few variants that Lakeside Marine has requested. There have been conditions that your Planning Director has recommended be made as part of any potential approval of those requests and for the most part, Lakeside does not object to those conditions. Most of them are very reasonable and again, Lakeside wants to cooperate and wants to bring this property up to speed to where it really should be to maximize his business for him. I'm not speaking out of line here, but this is something that Jon is very serious about.

The only condition that we would like to possibly get some feedback on, or maybe take the temperature of this board on is the site plan recommendation, that being the requirement or the request that this board deem a requirement for the installation of an 8' wide sidewalk in front of their building. The reason we're asking this board to possibly deem that as not being necessary is really for two reasons. From where we stand, most of the requirements, when a sidewalk has been imposed on a development, it's usually for new construction, which this is not. The second point is that neither property to the north or south has a sidewalk. We understand the city's master plan and the need and

want for having a continuous sidewalk, but really forcing this on Lakeside at this point would build a road to nowhere, as it would not be accessible from the north or south. If that changes, then obviously Lakeside would be willing, if a sidewalk is being developed on either side within the next 5 years, absolutely, we'd be agreeable to installing any sidewalk as necessary at that point.

Other than that, unless this board has any questions, we have nothing further to add.

Chairperson Parel – Okay, thank you. Dave, did you want to talk about this slide?

Dave Campbell – This is their landscape plan and I didn't have it up earlier. I think landscaping is a key component to this plan.

Attorney Silvestri – For what it's worth, we understand and appreciate the concern for having a bit more coverage. As Mr. Campbell was stating, some of the deciduous landscaping, if the leaves fall down in the wintertime, you're going to be able to see right through that. We actually had a conversation with him. We're in agreement for what's being proposed, or at least what is being recommended as a condition. Again, as long as it's reasonable, we're onboard with it as well.

Commission Comments:

Chairperson Parel – Bill?

McKeever – What is the reasoning for reducing the quality of building materials for the screening? We require a masonry wall. Why wouldn't you propose a masonry wall?

Jon Boboige – We had that in the original presentation when we came, but after conversations with Dave, he proposed that there are some buildings down the street and at a cemetery where they offer this faux brick vinyl fence that still has a great curb appeal, and potentially costs significantly less. That's why we went into the vinyl faux brick in lieu of the masonry wall.

Dave Campbell – Mr. Boboige, we had a conversation and I think you still have a vision of adding a second building, north of the existing building. If and when that day comes, and we hope it does, we talked about the fact that removing a vinyl fence and relocating it elsewhere on the site might be a better option than tearing down a brick wall.

Jon Boboige – Exactly.

McKeever – And as far as the vinyl slats or the materials to screen within the chain link, is that acceptable in our any of our zoning?

Dave Campbell – I don't think it's slats.

Jon Boboige – It's privacy mesh.

Dave Campbell – It's something that the Planning Commission has allowed in the industrial zoning district, usually in the same application as this, when it's on the side as opposed to the more prominent front. If you think of some of the recently approved

outdoor storage lots along Clarenton, in the Clarenton Industrial Park off Ladd Road; we've allowed for the chain link fence with the vinyl mesh.

Chairperson Parel – Is it something similar to the fence at the roundabout?

Jon Boboige – Yes.

Dave Campbell – And where it won't get run over as often.

McKeever – That's one of my concerns is with the amount of traffic and turnover within a facility like this, wouldn't maintenance and upkeep be an issue with these types of materials?

Dave Campbell – I think it's a legitimate concern. I look to Mr. Boboige to see how good his guys are about not bumping into the fence. If the fence were not properly maintained, then that would be a violation of not only the site plan, but really of the Special Land Use. So, there's certainly motivation for Mr. Boboige to make sure that the fence is taken care of, maintained and repaired as necessary.

McKeever – What would be the Township's recourse to enforce any need for repair?

Dave Campbell – If it got to the point where the fence was no longer maintained and serving its purpose, we could, in theory, revoke Special Land Use approval in which case, his outdoor boat storage and his boat repair could go away. That would be our recourse if it got to that point, which I would hope would be more than enough motivation for the owner to keep the fence in top shape.

McKeever – As to the pervious parking area, what accommodations are made for environmental concerns?

Dave Campbell – It's a crushed gravel or a milling surface. It would be graded such that the drainage goes to the detention pond they're proposing between the fence and Haggerty Road. That would be an opportunity for any impurities to settle within the detention pond, which would need to be cleaned out on a regular basis like any other detention pond. What's not being proposed, to my knowledge, is any kind of oil separator or anything like that. Maybe Mr. Boboige can speak to how frequent that is, with boat storage, to have any kind of spillage or leakage of oil or any fluids.

Jon Boboige – Most of the significant repairs are done inside of the facility, as far as motor jobs and so forth, where things tend to ... If you pull an oil pan, we have concrete floors. Stuff does fall onto the floor. We have oil damp rid that picks it up. As far as any spillage or anything like that, I don't have anything major outside. Sometimes some of the two stroke outboards do show a little bit more color, like a little gas drip, but nothing of great significance or anything that I've been concerned about or had problems with onsite in the past.

McKeever – What about any type of simple winterizations, engine fogging, oil changes, that type of thing that would be available to be done in the storage lot?

Jon Boboige – We have special tanks that are made out of a horse trough. It's designed perfectly to be wheeled underneath an inboard/outboard or an outboard, whatever it may be, and there are flappers to where, when the boat is running on the special tank, it all stays within the tank. We can reuse the coolant over and over, and we have a special meter to test to make sure that it's still staying at 100 below as water mixes with it. You want to use 100 below antifreeze to make sure nothing freezes over the wintertime. So, we try to catch it because coolant adds up as you're winterizing several hundred boats. You want to try to save as much as you can. These tanks are cool and unique, and they've been successful for us. They seem to catch the majority if not all of the contents.

McKeever – That's all I had.

Jon Boboige – I do want to reflect back on the fence, as far as the recommendation from the Township to put forth some arborvitaes or junipers, something more that's not a deciduous tree. I think what the goal is here is that over the next 3-5 years, that the growth of the trees will actually take over the majority of the fence. Therefore, seeing that fence will be minimal. This will also add some color to the property and look a lot better as you drive by. That fence in particular will be the most expensive as opposed to the chain link. So, as far as shuffling the boats around, if somebody ends up hitting the vinyl fence, it's going to be very costly to me. I most definitely will be on the maintenance of that and will make sure that everything is taken care of in that regard.

Weber – A couple of questions. So, this is seasonal storage only, right? This is winter storage for boats, meaning it's not going to turn into boats during the summer. I understand you might be storing some trailers, but not boats during the summer season.

Jon Boboige – So George, what I've learned from the Township, storage is anything that it's in one position longer than 24 hours. So for me to tell you that I'm not storing boats, I'd be lying to you.

Weber – That goes to my second question. In your site plan, you're showing you're going to store 33 boats.

Jon Boboige – That was just a generalization to show the new area and how we will be staging boats that come in for service. This is not a storage site plan. This is more of what you would see during summer. The storage will consume the majority of the lot. I'll squeeze everything I can within regards during the wintertime. However, we do have a good amount of service that comes through, but the property will never be blanketed all year long. With this land use, I don't plan on taking on any additional in and out storage or anything like that. That's not in my program. I won't be storing any RV's or any of that other stuff. This is strictly going to be ... It's just going to gain me the access to have much better efficiency as far as staging and moving the boats around for the spring so I don't have to have stuff jamming all around the property, and also hopefully relieve me from paying rent at another lot over time.

Weber – The site plan speaks to a brick vinyl. The words in Dave's email speak to a stone vinyl. There's a big difference in quality between some of the brick vinyl fencing versus stone. I just want clarification.

Jon Boboige – This is simply a concept, a recommendation that he mentioned from both the cemetery and the dog pound that's north of me. He said those appeared to work well for you. I was going to look along those lines.

Weber – If we do go forward, that will be something that we probably want some administrative authority for the Planning Director's office ...

Dave Campbell – You want a detail of the fence material proposed, such as a brochure from Home Depot.

Weber – Yes, because obviously, the quality varies.

Jon Boboige – But the brick is something that was recommended ...

Weber – It was a faux stone fence versus faux brick.

Dave Campbell – We want that stacked stone look, like the cemetery fence. That's the one we're favorable toward.

Weber – That's the one that comes to mind for me. I think we would want administrative approval on exactly what that's going to look like. The biggest concern I have is the height of the storage. Obviously, we don't want outdoor storage along the Haggerty corridor, at least as much as possible. I know there are some others that are there. The height of your boats are going to be above 8'. We're talking about an 8' fence, but you're still going to see a sea of boats as you're driving down Haggerty Road. I can get past that, but for the landscaping plan. The landscaping plan would have to be large pine/evergreen trees. More than just arborvitae, which I can see along the north side, but I can't support even a nice fence that doesn't have a thick evergreen screening along the east side, and probably 30-50' on the north side that's going to screen, for the most part, all of the boats that are going to be stored there.

The other thing; I did go to the property today and I parked in Newmyer's lot and walked it. I don't think the 30' of screening is quite enough. I would recommend 50' which seems more reasonable. I paced it off. That would help protect for some of that screening, so another 20' of the vinyl fence is not a significant difference in cost, but it does make a difference as you're coming down, especially heading south on Haggerty Road.

Two key items for me are going to be the quality of the fencing and the substantial screening with some pretty substantial evergreen trees. Again, most of your storage is going to be during the winter months. I would have to see trees that are going to get to ... In the ordinance, it talks about getting to the height in three years, which means you're going to be planting some 8-10' trees as part of that. That would be a condition for me, very substantial evergreen screening along the entire east, and about 50' on the north, and something similar to the junipers and things you had in your original landscape plan along the chain link fence.

Dave Campbell – One of the recommendations that the Planning Department had was a condition that the taller boats be stored toward the westerly half of the storage lot. Mr. Boboige, from an operational standpoint, is that something that could be done?

Jon Boboige – Yes, absolutely. That's not a problem at all.

Weber – I'm going to hold to my standards. I get that, but even if it is stored 20' past, all it takes is one wake boat on a trailer and you're at 12' or 14' off the ground.

Jon Boboige – I understand.

Chairperson Parel – George, if we stated, or if the petitioner stated or committed to, a quality of vinyl fencing, at a minimum similar to what the Township put in at the cemetery, that would suffice for you? And then it would be handled administratively by Dave.

Weber – I don't know how tall the fence is at the cemetery.

Chairperson Parel – But that quality level would make you happy?

Weber – Yes.

Dave Campbell – I think the cemetery is 6' and he is proposing an 8' version.

Loskill – A couple comments on my end. I think the fence along Haggerty should be pushed back to line up with the tall building, not brought out to the face of the short building. I think that would help make the office portion project and look better, and it would present a better face. If we are going to cut a break and let you go to a faux stone wall, I'd like to see it done along the entire north side. The people on the adjacent property have an extremely well maintained area. By going even to the faux stone, we will be significantly less than the masonry wall. I think that would be good to keep up the aesthetics that the people on the north side have done.

I agree with George's comments about the screening. As a procedural concern, my position is that if we grant all of these variances and deviations from the code, what happens when the next guy comes in and wants the same thing? We're setting a precedent here that we're going to get stuck with forever. It's not just going from masonry to faux stone, but he wants to go from a masonry wall to a chain link fence. That's a huge difference as far as functionality and aesthetics go.

Phillips – My concern was the 9 points presented by John Newmyer. Those were addressed and I think we're covering that with this discussion. Having the adjacent property owner satisfied is important.

Winkler – I have nothing more to add to what has been said, with one exception. Whatever is approved or disapproved tonight, I have confidence that the zoning enforcement people, as well as the Planning Department will make sure that the petitioner maintains the screening and fencing, and meets the lengthy requirements and conditions that are being proposed for the site, for both Special Land Use as well as site plan approval. Enforcement is going to be important.

Chairperson Parel – Thank you, Brian. Dave, did you have a comment?

Dave Campbell – Only to remind everyone that we do still need to open and close the public hearing.

Chairperson Parel – Yes, that will be next, and to Brady's point, we will read the summary of the email. I have a few comments. Regarding the sidewalk, and I didn't hear anybody bring it up here, I would have to respectfully disagree. Sure, new developments would require it, but also I think almost any other Special Land Use we've approved here has required either construction of a sidewalk, or a contribution to the fund, and I would like to see that.

I have similar concerns as George. I understand you're working with Dave and there's a possibility that some of the taller boats could be put in back, but I think we need to talk more about that and discuss the landscape screening in front of that wall.

Those are two big issues for me. Do you have any idea as far as timeline, or did you want to see what comes out of this meeting before you commit?

Jon Boboige – I wanted to see what comes out of this, and I'm assuming that if approvals were given, that timelines would be a stipulation of the approval. Therefore, I was checking the temperature of the board to see what's going to happen. If there are approvals, then we can narrow down the timeline. This is something that has been ongoing for a very long time and I'd like to get it going right away. I think frost laws are March or April and by that time, I want to break ground.

As far as the sidewalk goes, if we can work something out with that where it's not imperative to have it happen immediately this year. If we can put a term on that, maybe 3-5 years, that gives me a little bit more time to put something toward the fund or have that sidewalk built. I imagine that cost will be something substantial and it wasn't something that I planned.

Also, doing larger evergreens that George proposes is going to increase funding as well. They're not cheap trees by any means. We're open and we're here to have this meeting to try to figure it out and make you guys happy, with something that's reasonable and financially respectable to me so I can make sure it happens and keep my commitment.

Dave Campbell – With respect to timeline, Supervisor Gray who oversees code enforcement, has given Lakeside Marine something of a stay in terms of issuing citations/violations. I don't remember the exact terms, but I want to say it was that you need to get going on this by May?

Jon Boboige – Yes.

Dave Campbell – That kind of puts all of us under something of an obligation to come up with a direction so that he can satisfy that deadline from a code enforcement standpoint.

Chairperson Parel opened the public hearing.

Dave Campbell provided a summary of the following email:

Hello Paula,

I am responding to the proposed "special land uses", for and by Lakeside Marine located at 3041 Haggerty Road. I have the following concerns regarding these requests as we own the property located at 3081 Haggerty Road, immediately north of this property. Our concerns are as follows:

- 1. That the proposed fence at the east side of the property located at 3041 Haggerty Road does not protrude beyond the front east building wall of our property located at 3081 Haggerty Road.*
- 2. That the fence be a decorative fence, professionally installed, inspected and approved by the Township planning commission.*
- 3. That a small section of the fence be decorative (to match the east facing fence) to extend along the north fence line as approved by the planning commission, subject to professional installation and approval by the township.*
- 4. That the remaining sections of the fence on the north line be chain link, professionally installed, inspected and approved by the Township planning commission.*
- 5. That the approval of any fencing be subject to proper maintenance by Lakeside and/or any future owners including specifically that no brush, weeds, scrub trees or any vegetation shall be allowed to grow up into or adjacent to the proposed fencing. Further any damage to the fencing shall be promptly repaired by the Lakeside or the existing owner of the property, including any fencing damaged by the movement of items stored on the property.*
- 6. That the property be regularly maintained including lawn cutting & trimming at the fence line. Including trimming and maintaining any arborvitaes on the north fence line.*
- 7. That the storage is seasonal and is not a space intended for the long term collection of unclaimed marine, trailer or vehicles for any reason. In other words, we do not want the property to be a marine graveyard.*
- 8. That environmental requirements are enforced regarding soil conditions.*
- 9. That all water shall be planned, approved and managed not to drain onto the 3081 Haggerty Road property, subject to inspection and approval of Commerce Township Planning.*

It is not my intention to be a nuisance to Lakeside Marine. It is my intention to maintain my property, parking lot & building and hopefully to improve the overall curb appeal of Haggerty Road. I will be happy to support any improvement to the properties on the "Haggerty Corridor" as I believe it will add value to and benefit to the businesses and residents of Commerce Township.

Thank You, John Newmyer

Chairperson Parel closed the public hearing.

Chairperson Parel – I think the three big issues we have are as follows:

- Additional landscape screening;
- Potential extension of the vinyl fencing on the east side, and potentially on the north side;
- The sidewalk.

Chairperson Parel – We can have discussion on those items. A quick sidebar as far as this email. My opinion is that if we do move forward, I think we have an opportunity to make this gentleman happy. I think that's important.

Weber – I'll give you my comments, and I think there's one other that Dave just briefly talked about.

- On the sidewalk, I would be okay with a term limit on that of 3 years.
- I respectfully have a difference of opinion; I don't think the faux fence needs to go all the way back to the west property line. That's just my view.
- We didn't talk a lot about the sales. I know you want to put 4 parking spots out front. I just want to make it clear, because even though a year or two ago, you said you wouldn't have any boats for sale out front, you did. To me, that's going to be on the conditions. If you put one wave runner out for sale out front, I will call for the Special Land Use to be revoked. I just want to make that 100% clear, that there is no for-sale stuff going out in front of the property along Haggerty Road.

Chairperson Parel – Let's try to knock out the sidewalk. Is anyone opposed, and Dave, is there any reason why we can't give this gentleman an opportunity to pay it over a certain period of time?

Dave Campbell – Are one of you going to volunteer to chase Jon around for the next 3 years and make sure he installs the sidewalk?

Jon Boboige – I'm sure we'll still have conversations regularly.

Chairperson Parel – It's a fair question.

Dave Campbell – My hope was tonight, my days of chasing Jon around were over. I would think we can make it work. I want to talk to the Township Attorney. It has to be something binding. If Mr. Boboige were to sell the property 2 years from now, how does that obligation then transfer to the owner. And let's be honest, by the time the lawyers figure all of that out, it might cost more than the sidewalk.

Chairperson Parel – It will. My opinion though is that we need to be fair. Sidewalks are something we require from everyone. I think we have a solution there.

Dave Campbell – We can come up with something.

Chairperson Parel – Next, this will be additional cost, but I also think not only do we need evergreens in there for screening, I also think they have to be significant. George got into some details. We can talk about that. I just think they need to be more significant than some deciduous trees.

Loskill – I drove by Wilson Marine this evening. It is a dense hedgerow. You can't see through it.

Chairperson Parel – Arborvitaes?

Loskill – I'm not a landscape architect, but they are very columnar evergreens. They're planted very close together. They have a nice little wall. They got creative and did something that was not completely by the ordinance, but it looks great.

Dave Campbell – Which property is it?

Loskill – Wilson Marine.

Jon Boboige – Down the gravel road, not the Haggerty front but the old ...

Loskill – Right on Haggerty, they have a low 2' masonry wall, and then they have columnar pines that have to be 3' on center.

Jon Boboige – I think you're talking about Allard or Ladd Collision, not Wilson Marine, right on the corner of Oakley and Haggerty.

Loskill – Yes.

Jon Boboige – That used to be Allard Brother's, and now it's Ladd. They put a stacked block wall, roughly 3', like a retaining wall, and they put the arborvitaes surrounding. They were very small but they have grown significantly.

Loskill – That's a very nice look there and I would entertain something like that as well.

Dave Campbell brought up images on the overhead.

Dave Campbell – This is 3 or 4 years ago.

Loskill – It doesn't look like that now. You cannot see between trees. They have grown to the point where they are 4' above the wall and they are so dense that you can't see between them.

Loskill and Weber discussed the size of trees upon planting to quickly achieve dense screening.

Weber – We need something like this along the chain link, or the north portion of the property. In my view, this would be fine. For the part along Haggerty, and I'm not a landscape architect, but my vision would be some kind of substantial Douglas Firs, or something that is actually going to be a tree that will grow to a substantial size, but it's going to block the 12' or taller boats and prevent it from looking like an outdoor storage lot. To me, that's the toughest part. That's the reason it's zoned the way it is, because we don't want the outdoor storage lots there. Anyway, you understand what I'm saying.

Jon Boboige – I do. I think finding the way to stage them is important, because as they taper to the top, you're still going to have visibility through them, whether they're 10-12', or 4'.

Weber – Right, and that’s similar to what Wilson did off the gravel road, behind their property at their service shop. That’s where the trees were staggered. It wasn’t just a row.

Jon Boboige – They’re also the smaller arborvitaes as well.

Dave Campbell – I’m pulling up 84 Lumber. Unfortunately, there isn’t a street view of it, and I don’t know that this picture does it justice. Regardless, when 84 Lumber went in along Pioneer, we had them do this berm of pines.

Weber – Yes, they staggered them for that specific reason.

Dave Campbell – Have you seen them lately?

Weber – I have not.

Attorney Silvestri – Is a berm something that you’d want to see?

Loskill – Not in this area. That area was appropriate.

Attorney Silvestri – What sort of height would you be looking for initially, or is it something within 3 years?

Weber – At planting, probably 10’. You’re not getting into big money at a 10’ fir tree or pine, but something of a species that has foliage, and which grows really quickly. If you think about it, if you’re at 10’, and that’s the top, it means you have a width of this at 8’ on a tree like that.

Jon Boboige – I will say that a 12’ Colorado Spruce costs \$2000. So, to be a couple feet less, it might be \$1600 per tree. I just know because I did it recently. Between my neighbors and I, we planted some Colorado Spruces and they’re big beautiful trees. It was a significant cost. We only had 6 planted, and for this, I will need over 110’. I’m probably going to have to have a lot more. It’s just something to think about. When we originally proposed the plan, it was just to see what you are going to say and what do you want. I think the landscape is a big ticket.

Weber – We are willing to acquiesce to the vinyl fence versus the masonry wall, which is a massive savings from what the requirement would be. And, we’re willing to try to work with you on outdoor storage, but we don’t want outdoor storage there, and we don’t want to see the boats. This is the compromise we’re speaking to.

Jon Boboige – Sure, understood. Back to what Joseph said about extending the fence. I have actually had a conversation with John (Newmyer). I’ve known him for quite some time. I told him before I was clearing the trees, I approached him and said this is what’s going to be going on. He said no problem. His pavement actually goes right to the end of his property line. He just asked that I don’t leave it with weeds and overgrowth. He said we have a nice property here. As long as we have something clean and nice, he would not be opposed to that. I know that you asked that we extend the fence. If I were to put something in writing from him saying this will suffice, and he approves of

whatever we put on that side, would that be okay with the Township, or do you want to see what you want to see?

Loskill – Again, my concern is the precedent we set. Once we let you do that, then we have a hard time when the next person comes in because they're going to say, you let them get away without it. We have to consider what is supposed to be there. If it's not masonry, and we do this faux stone fence, it's a significant savings. I think it would look good and speaks to the intent. I'm not saying this is the only thing I'm going to accept. What they did at the corner of Oakley looks great too. You can get creative, but we want to see something that is going to be very upscale looking and it's going to screen what's in your yard to a height that is the majority of where things are going to be, especially on Haggerty Road.

Dave Campbell – If we are going to deviate from what's on the site plan, with respect to the fence along the north property line, do we put a number on that as to the number of linear feet? 30' is being proposed; Mr. Weber threw out 50', and Mr. Loskill is proposing all the way to the west property line.

Chairperson Parel – We're talking about the north?

Loskill – Yes.

Chairperson Parel – I'm not past the east side yet. We have to resolve both.

Weber – Let's do the fence first, and landscaping second.

Chairperson Parel – The thought on the fence is that we take it the entire length of the east side.

Weber – How far is that, linear?

Dave Campbell – The east side is 117', and then they're going to wrap it the first 30' on the north side.

Weber – What is the total span of the north side?

Jon Boboige – 433'.

Dave Campbell – Yes, but that's all the way to the centerline of the road.

Weber – Let's say 300'.

Dave Campbell – It's a football field.

Weber – What is the distance to whatever that area is behind the white van up to the front of the building, approximately.

Dave Campbell – 90-ish.

Loskill – I think it would look better if it came back to the tall building rather than being pushed out to the front of the smaller building in front. It won't be as prominent.

Attorney Silvestri – I think it is, unless I'm reading the plan wrong.

Jon Boboige – It jaunts back a little.

Loskill – I can't tell. That just looks like a patio in front. It looks like the fence is going to the front of the building.

Joe Novitsky – It comes up to the front of the existing building, to the front office.

Loskill – Right, you need to push it back 20' back. You have a short building in front and a tall building behind it.

Jon Boboige – It's 10'.

Loskill – Push it back to the tall building so it's not fighting with the height. You're only about 8' tall at the corner of the building.

Jon Boboige – That's not a problem. That's completely fine.

Joe Novitsky – Yes, that's not an issue.

Chairperson Parel – So how far are we going to take the fence to the west?

Weber – Bill just did a quick calculation for visibility from Newmyer's.

McKeever – That's at 30', so you would get a view of the chain link at Newmyer's entrance.

Jon Boboige – Joe, does my office surpass the front of Newmyer, or are they right in line?

Joe Novitsky – No, they're right in line. If we drop the 18' that your building is now, it would not make any difference. It will minimize the turn and it will look better.

Weber – Bill has done some geometry here and 50' removes visibility for the most part for traffic heading south on Haggerty, whereas 30' doesn't. I know Joe was looking for coverage.

Loskill – I'm only one voice.

Joe Novitsky – If you give us the credit for the 20' or so, it's about 18', which is the lower portion of the office building, and then continue the 30' we've already agreed to, it's a win-win. We get the 50' ostensibly, and from the vantage point of the neighbor's building, preserve the integrity of what we've presented here, just pushing it west that 20'. I think that solves it.

Chairperson Parel – So the east side barrier comes in 20’.

Jon Boboige – So it’s 50’ total.

Joe Novitsky – Yes, so we’d get that barrier that’s being requested.

Jon Boboige – That’s fine. We just suggested 30’ because we thought that is what you would see when you drove by. If you want to do 20’ more, that’s not going to kill us.

Weber – Okay, if we pull this back and get the 50’, that gets him partially there.

Chairperson Parel – It’s really only 30’ moved back.

Weber – No, they were saying 20’ and 30’. We’re looking at geometry. If you take it to 40’ and it’s completely screened ... So, 18’ back and rather than 30’, go another 10’, and then chain link all the rest.

Jon Boboige – Okay, so like Joe said, the office is the lower facility that abuts the warehouse; we’re going to start the fence at the warehouse side, and then go back an additional 10’, which gives you 40’ of fence.

Loskill – Right, and screening.

Jon Boboige – That’s fine with us, correct. No problem. What would help you guys as far as screening with large firs or spruces? I’m going to work with our landscape architect to try to draw something out, but then there’s a limit on the number of trees, and it’s going to take away from that.

Loskill – I would say I would be more concerned with taller trees on the east side, and where the new fence is. If we went to smaller trees further along the north line so that they could grow over the years, you could save some money there. Put the money up front where we really want to see the most bang for the buck, and then go with smaller plantings and other things down the side.

Weber – So, if I’m hearing you right, doing more spruce and fir trees on the east side, arborvitaes and junipers along the north side. Again, trying to keep the traffic from seeing boat storage. If you have taller trees for that first 40’, which isn’t many trees, and then your arborvitaes and junipers going down there. The east side should be substantial.

Jon Boboige – Okay, I’ll have him put together a plan with the larger trees up in the front. Are you opposed to removal of some of the shrubs? You don’t want that in addition to all of those trees, do you?

Weber – Our priority is screening the storage. You will have a couple small things planted in there to make it look nice, but not the number you showed on the original.

Jon Boboige – I’m not just going to have 10 massive trees sprawled out and nothing in between. I want it to look nice too. I think we have an understanding there.

Chairperson Parel – This is not necessarily in addition to.

Jon Boboige – Okay.

Chairperson Parel – If we are to approve this, George, in your opinion, can Dave's group handle the landscaping administratively? And Joe, do you agree?

Dave Campbell – Are you asking me if I'm okay with that? Yes, I'm okay with it.

Chairperson Parel – Any additional comments?

Dave Campbell – We're getting close to making a motion. What I'm seeing, if you go to Page 12 of my report, within the deviations listed for the first Special Land Use for outdoor storage, #4 speaks to *the proposed 8-foot faux stone vinyl fence along the east property line and the easternmost 30 feet of the north property line*. We are going to change that.

Loskill – Change that to 40', and have the fence start at the corner of the taller building rather than the office.

Jon Boboige – The warehouse.

Dave Campbell – I would build that into that deviation. Under that, *Special Land Use approval is subject to the following conditions: #2, the changes to the landscaping*. I think #2 would be changed to encapsulate everything Mr. Weber and Mr. Loskill spoke to.

Chairperson Parel – As we're doing this, can I ask a question? I would assume that the petitioner is very familiar with this language. We're making a couple modifications. Do we need to repeat all of this?

Dave Campbell – I don't think so, other than to call out the changes. The last change I see is on Page 13, for the site plan approval, *conditional upon an 8' concrete sidewalk to be included on the revised plan*. There would need to be some language changing that to what we agreed to, some sort of a 3-year grace period.

Chairperson Parel – I'm okay with that concept, and with you and the lawyers working that out.

McKeever – Would that be for an actual onsite sidewalk, or a contribution to the sidewalk fund?

Dave Campbell – That would be a decision of the Planning Commission. We hear the argument a lot about sidewalks to nowhere and I understand those arguments. I just will point out that we've had two recent developments to the south, the Montessori, and they put in their sidewalk. Then, a little bit south of them is the daycare, and they put in their sidewalk. This would not be the only section of sidewalk along this stretch of Haggerty Road that we hope will eventually connect to all of the other gaps.

Chairperson Parel – Dave, in your opinion, is it the right move to put the sidewalk in, as opposed to paying into a fund?

Dave Campbell – In this scenario, yes, because we do have a nonmotorized master plan that calls for sidewalks along the west side of Haggerty Road.

Chairperson Parel – I think that's our decision.

McKeever – I just wanted to clarify so it wasn't disputed.

Weber – If I'm going through the deviations, just to make sure we capture the language in here, that deviation #2, where it says, *The proposed 8-foot fabric chain link fence along the majority of the north and west property lines is acceptable relative to the requirement for a 6 or 8-foot decorative masonry wall.* Nothing changes with that in your opinion?

Dave Campbell – No. What's required is a masonry wall and you're deviating from that with a fabric chain link.

Weber – Okay. And then under Special Land Use approval, #2, let's speak to the landscaping. We want to add to that that the landscape architect plan is to be administratively approved by the Township Planning Director.

Dave Campbell – Yes, based on the comments provided by the Planning Commission this evening.

Weber – Where do we capture that the fence starts from the warehouse?

Loskill – That would be #5.

Dave Campbell – Or build it into #4.

Weber – #5 should be that it is conditioned upon absolutely no boat or vehicle sales in the front?

Dave Campbell – I hope we've got that under Special Land Use conditions #4, *No outdoor storage and/or display of any kind ... outside of the designated outdoor storage area, and most notably not within the lawn area between Lakeside Marine and Haggerty Road.* And then with sales, if you go on to Page 13, *Special land use approval for vehicle/watercraft repair in the TLM zoning district is based on the following conditions: #2, No for-sale watercraft, accessories, and/or equipment be stored/displayed anywhere on the site other than within the approved outdoor storage area. Specifically, the storage/display of for-sale watercraft/accessories/equipment shall be prohibited in the yard area between the facility and Haggerty Road.*

Chairperson Parel – George, do we have any concerns, you brought it up, about other types of vehicles being stored here? RV's in the summertime?

Weber – Yes, that should be part of it.

Jon Boboige – I have a concern, George, that I would like to run by you too. As far as the parking.

Weber – No RV's. Nothing other than seasonal boat storage.

Jon Boboige – Right.

Dave Campbell – We do say, *Move to approve a special land use for Lakeside Marine, to allow for an accessory outdoor storage yard for watercraft (boats), equipment, and related accessories.* You could add to that “only”.

Jon Boboige – I do own a sprinter van. It's my own vehicle. Am I allowed to store my own vehicle on my property, I would hope?

Weber – As long as you're not storing for somebody else. It's a slippery slope.

Jon Boboige – Sure. Well, this is another slippery slope I wanted to ask you about, as far as the parking area out front. Obviously there will be no vehicles there for sale, and I'm not trying to push this by any means, but I want to hear it from the board. This is technically my pickup/drop-off area. Boats do transition there every 24 hours and nothing stays longer than 24 hours, so therefore it was never deemed storage. I do want to ask, is that still okay that I put a boat out there for pickup, between the telephone pole in back?

Dave Campbell – As long as it is 24 hours or less.

Jon Boboige – Okay.

McKeever – That's not in the fire lane, correct?

Jon Boboige – No. It's on the side of the property. That's a big thing for me. When people come to hookup and go, it's very important to me. I don't want you to say, hey, that's only for cars and now I'm disobeying the ordinance. I want to make sure that we're totally clear. We're good if you're okay with it.

MOTION by Weber, supported by Loskill, **to approve, with conditions**, the recommended motion language, including the amendments as discussed herein. Move to approve PSU #23-03A, a special land use for Lakeside Marine, to allow for an accessory outdoor storage yard, for watercraft, equipment, and related accessories only, at 3041 Haggerty Road. Special land use approval is based on a finding that the applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the eight special land use criteria of Section 34.08 of the Zoning Ordinance, as well as the use-specific criteria of Section 22.02.K. The Planning Commission further finds that shrink-wrapped boats are not what were intended in the prohibition of “tarps and other non-permanent coverings” within Sec. 22.02.K.5.

Special land use approval includes the following deviations from the standards of the Zoning Ordinance:

1. The accessory outdoor storage, which is typically only permitted within the required rear yard, shall be permitted along the north side of the existing building in the designated side yard based on a finding by the Planning Commission that the operation and manner of screening of the storage yard is consistent with the intent of Sec. 22.04.K.4; and,
2. The proposed 8-foot fabric-covered chain-link fence along the majority of the north and west property lines is acceptable relative to the requirement for a decorative masonry wall, so long as said fence is maintained in good repair; and,
3. The existing 6-foot chain-link fence to remain along the south property line and a portion of the west property line is acceptable relative to the requirement for a decorative masonry wall, so long as said fence is maintained in good repair; and,
4. With regard to the proposed 8-foot faux-stone vinyl fence:
 - a. It will begin at the taller of the two buildings (the warehouse); and,
 - b. It will be placed along the east property line (the building front), and the easternmost 40 feet of the north property line; and,
 - c. When combined with the landscaping/screening specified by the Planning Commission, it is acceptable relative to the requirement for a decorative masonry wall; and,
 - d. Said fence is to be maintained in good repair; and,
 - e. The style of the faux-stone vinyl fence is subject to Administrative Approval by the Township Planning Director.

Special land use approval is subject to the following conditions:

1. Approval of a corresponding site plan by the Planning Commission;
2. With regard to the architectural landscape plan and screening:
 - a. It is subject to Administrative Approval by the Township Planning Director; and,
 - b. The landscaping to be installed along the easterly portion of fence, and the first 40 feet of the northerly fence, is to be comprised exclusively of large evergreen species, such as 10-foot fir and spruce trees, of a size and variety that will grow taller than the height of any conceivable boat within three years as determined by the Township's landscape architect on a revised landscape plan; and,
 - c. Beyond the first 40 feet of the northerly fence, arborvitaes and junipers are appropriate.
3. A written commitment by Lakeside Marine (and their successors) to store boats taller than 8 feet in the westerly half of the storage yard to minimize the potential for their tops to be visible from Haggerty; and,
4. No outdoor storage and/or display of any kind (boats, trailers, hoists, docks, etc.) outside of the designated outdoor storage area, and most notably not within the lawn area between Lakeside Marine and Haggerty Road. Violation will result in revocation of the Special Land Use.

MOTION CARRIED UNANIMOUSLY

MOTION by Weber, supported by Loskill, **to approve, with conditions,** the

recommended motion language, including the amendments as discussed herein. Move to approve PSU #23-03B, a special land use for Lakeside Marine, to allow vehicle/watercraft repair inside the existing building at 3041 Haggerty Road. Special land use approval is based on a finding that the applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the eight special land use criteria of Section 34.08 of the Zoning Ordinance, as well as the use-specific criteria of Section 26.303. The Planning Commission further finds that watercraft sales is a use customarily incidental to the special land use of watercraft repair, subject to conditions.

Special land use approval for vehicle/watercraft repair in the TLM zoning district is based on the following conditions:

1. Approval of a corresponding site plan by the Planning Commission; and,
2. No for-sale watercraft, accessories, and/or equipment be stored/displayed anywhere on the site other than within the approved outdoor storage area. Specifically, the storage/display of for-sale watercraft/accessories/equipment shall be prohibited in the yard area between the facility and Haggerty Road; and,
3. Partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts shall be stored within the existing enclosed building consistent with Sec. 26.303.A.9 of the Zoning Ordinance.

MOTION CARRIED UNANIMOUSLY

MOTION by Weber, supported by Loskill, **to approve, with conditions**, the recommended motion language, including the amendments as discussed herein. Move to approve PSP #23-15, a site plan for Lakeside Marine for an accessory outdoor storage yard and site upgrades at 3041 Haggerty Road. Approval is based on a finding that the site plan satisfies the applicable review standards of the Township's Zoning Ordinance.

Site plan approval is subject to the following conditions:

1. Review and approval of engineered construction plans by the Township Engineer, Fire Marshal, and Building Department; and,
2. An 8-foot concrete sidewalk to be included on a revised plan to be administratively reviewed by the Planning Director, and which will be required to be constructed no later than 3 years from this approval, per an agreement to be drafted by the attorneys; and,
3. The existing shared driveway/fire lane to be kept clear at all times of boats, trailers, vehicles, and/or equipment; and,
4. Any installation of a dumpster/enclosure to be administratively approved by the Planning Department; and,
5. Permanent wall and ground sign – if proposed - to be reviewed and approved by the Building Department under separate Sign Permit subject to the applicable standards of Article 30 (Signs) of the Zoning Ordinance; and,
6. No temporary signs beyond those specifically permitted by Article 30 (Signs);
7. The entirety of the existing building to be painted a color agreeable to the Planning Commission; and,
8. Any exterior lighting – including security lighting - to be administratively approved by the Planning Department and consistent with the height & cutoff standards of Article 31 of the Zoning Ordinance.

MOTION CARRIED UNANIMOUSLY

Jon Boboige thanked the Commissioners. Dave Campbell confirmed that he would get started in May, and Jon said he is ready.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

K: PLANNING DIRECTOR'S REPORT

- **NEXT REGULAR MEETING DATE: MONDAY, FEBRUARY 5, 2024 AT 7:00pm.**

L: ADJOURNMENT

MOTION by Loskill, supported by Phillips, to adjourn the meeting at 8:26pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary