

MINUTES

**CHARTER TOWNSHIP OF BRIGHTON
PLANNING COMMISSION
4363 BUNO ROAD
BRIGHTON, MI 48114**

**APRIL 12, 2010
REGULAR MEETING
7:00 P.M.
(810) 229.0562**

Vice-Chairman G. Mitsopoulos called the meeting to order at 7:00 P.M. The Pledge of Allegiance was said.

Present: B. Padget, L. Herzinger, J. Kovitz, G. Mitsopoulos, R. Doughty, G. Unruh

Absent: S. Holden

CALL TO THE PUBLIC

No response.

AGENDA

G. Unruh moved and B. Padget seconded **to approve the agenda as presented.**

Motion carried.

MINUTES

R. Doughty moved and L. Herzinger seconded **to approve the minutes of February 8, 2010 regular meeting as amended.**

Motion carried.

BUSINESS

REVIEW OF HUNTMORE GOLF COURSE REQUEST EXTENSION TO BUILD PERMANENT CLUBHOUSE

Dean Horn, Owner-Huntmore Golf Course, stated he wanted to request an extension for the building of the permanent clubhouse and all associated items (i.e. landscaping, lighting, paving, etc.) and also wondered if he could convert the temporary clubhouse into a permanent clubhouse. Discussion included reason for extension request and ability to convert the temporary structure; Planner Mathews advised the Planning Commission that the temporary structure does not meet the Ordinance standards.

G. Unruh moved and L. Herzinger seconded **to approve the request extending the date for completion of a permanent clubhouse and associated items including landscaping, lighting, and parking lot pavement, from February 8, 2012 to February 8, 2013 for the Huntmore Golf Course per Article 18-03(h)(3) of the Zoning Ordinance.**

Motion carried.

RE-REVIEW OF SITE PLAN #09/05; APPLICANT: CIACCIO'S PRODUCE COMPANY LLC DBA SIMPLY FRESH PRODUCE; LOCATION: 9984 E GRAND RIVER; TAX ID#'S: 12-32-300-023 & 12-32-300-063; ZONING: B-2

Abby Cooper, Applicant's Attorney, provided overview of revisions made to the site plan pursuant to the Planning Commission's action on February 8, 2010. Also stated that the Applicant had added notes on April 7, 2010 to the original Planning office copy referencing photo-metrics, parking lot striping, loading zone, signage, hours of operation, hours for deliveries, lighting not spilling over the westerly or southerly lot lines, hours that pole signage and exterior lighting will be on, cooler noise and removal of trees.

Discussion included Planner Mathews' letter dated April 1, 2010 specifically the landscaping requirements (Applicant noted that no vegetation on the boundary line with the Clores' would be removed unless diseased or damaged and that it had been noted by Applicant on the original Planning office copy on April 7, 2010); a reduction in the cooler/ pad area to enclose only the cooler and existing equipment allowing the aisle way to be increased; cooler screening; placement of cooler opening and Livingston County Road Commission approval was needed and timeframes for completion. Applicant clarified that the photo-metrics had been conducted using a light meter. Planning Commission inquired about tents;

Planner stated that the Commission was not considering use of outdoor tents at this time and that the Applicant would be required to meet applicable ordinances and associated application process.

COMMENTS FROM THE PUBLIC

Shari Pollesch, Julie and Mark Clore's Attorney – Referenced her letter dated April 8, 2010; explained the effect of the lights could be a cumulative one and expressed the need to have further details on the photometrics for all proposed lights and pole sign; would like additional landscaping (evergreen) on the west side which would help with the sound from the cooler and other equipment; expressed concerns over removing the undergrowth; cumulative sound effect of all outside equipment; and a preference to have loading zone on the east side of the site.

Joe Malik, 2313 Johns Drive - Respects the Simply Fresh business.

Julie Clore, 9956 E Grand River - Current light from the pole sign is so intense; it shines through her blinds.

G. Unruh moved and B. Padgett seconded **to approve site plan #09/05; Applicant: Ciaccio's Produce Company LLC dba Simply Fresh Produce; Location: 9984 E Grand River; Tax ID#'s: 12-32-300-023 & 12-32-300-063; Zoning: B-2 as presented on April 12, 2010 with the following conditions in addition to which had already been submitted to the Township:**

- a) **Cumulative photometrics testing for the lighting on the westerly side of the building, together with the free standing sign. This testing will determine the strength of the combined lighting at the westerly boundary line with the Clore's. The strength must be in accord with the Township ordinance. This testing must be accomplished within 30 days from the date of installation of the lights on the westerly side of the building.**
- b) **That the Livingston County Road Commission will grant permission for the aisle for the handicap parking spot to be located in the road right-of-way, as shown on the sketch plan submitted to the Township. Application for this permission must be submitted in writing to the County within 20 days. If the Road Commission will not grant approval, the applicant must return to the Township and amend its sketch plan to accommodate the handicap parking spot.**
- c) **Concrete bumpers must be installed on the westerly side of the parking area to separate the subject site from the vacant lot next door. These bumpers must be shown on the sketch plan within 20 days and must be installed within 30 days of approval by the Livingston County Road Commission that the aisle for the handicap parking spot in the road right-of-way, as shown on the sketch plan submitted to the Township, is acceptable to the County.**
- d) **The cooler area must be screened with a 17' by 20' screen, 8.5 feet high. This screening must be shown on the sketch plan within 20 days. The screen must be installed prior to the cooler becoming operational. The entrance to the cooler must be on the east side and shown on the sketch plan within 20 days.**
- e) **The REU designation of "2" must be shown on the sketch plan within 20 days.**
- f) **The Livingston County Building Department must make a determination as to whether footings are required under the existing concrete slab. Application for County review must be made in writing within 20 days. If footings are required, the applicant must comply.**
- g) **The turnaround on the south side of the building must be on the existing paved and/or gravel surface.**
- h) **Cumulative decibel level testing for the cooler and other equipment in the rear of the building. This testing will determine the level of the decibel reading at the westerly boundary line with the Clore's. The strength must be in accord with the Township ordinance. This testing must be accomplished within 30 days of the cooler installation.**
- i) **The applicant will comply with the terms of the March 26, 2010 Fire Department letter. It shall show the 6" letters on the sketch plan within 20 days and install the letters on site within 30 days of approval by the Livingston County Road Commission that the aisle for**

the handicap parking spot in the road right-of-way, as shown on the sketch plan submitted to the Township, is acceptable to the County.

- j) Screening for the trash receptacle shall occur on the earlier of screening for the cooler or 90 days from approval by the Livingston County Road Commission that the aisle for the handicap parking spot in the road right-of-way, as shown on the sketch plan submitted to the Township, is acceptable to the County.**

If the applicant fails to comply with any of the conditions set forth above that require action within 20 days, the sketch plan will be deemed denied.

Motion carried.

REPORTS AND CORRESPONDENCE

J. Kovitz – Overlay District; no action by Township Board.

CALL TO THE PUBLIC

No response.

J. Kovitz moved and L. Herzinger seconded **to adjourn.**

Motion carried.

The meeting adjourned at 10:02 P.M.

Respectfully submitted,

Steve Holden, Chairperson

Gary Unruh, Secretary

Kelly Mathews, Planner

Ann M. Bollin, Clerk