

BLAIR TOWNSHIP PLANNING COMMISSION

DRAFT MINUTES

February 17, 2021

A. CALL TO ORDER

The Blair Township Planning Commission meeting of February 17, 2021 was called to order by Chairman Heim at 6:00 pm. The meeting was held via Zoom.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ROLL CALL

Present at roll call: Wagner, Heim, Fitzpatrick, Lombard, Boeve, Clous, Nickerson; Also present: Zoning Administrator Lisa Guerrieri, Recorder Susan Kase, Tracie Campbell; Alex Brajak; Matt Jerome, Zoning Enforcement Officer; Eric Somsel, Director of Emergency Services, Blair Township. Steve Nelson was the lone attendee from the public. The representatives for each Special Use/Site Plan Review application were present, as identified below.

D. PUBLIC INPUT

There was no public input.

E. APPROVAL OF AGENDA

Motion by Fitzpatrick, seconded by Wagner to approve the agenda. **Yes:** Nickerson, Heim, Wagner, Lombard, Fitzpatrick, Clous, Boeve **No:** None **Motion carried.**

F. DECLARATION OF CONFLICT OF INTEREST

None stated.

G. MINUTES

Chairman Heim noted that the words "Reference Materials" appeared at the end of the last page of the minutes, and that they shall be removed. **Motion by Wagner, seconded by Nickerson** to approve the minutes for the January 20, 2021 meeting with the one correction. **Yes:** Heim, Lombard, Nickerson, Clous, Wagner, Fitzpatrick, Boeve **No:** None **Motion carried.**

H. CORRESPONDENCE

Zoning Administrator, Lisa Guerrieri stated there was a letter received from Haggard's Plumbing in support of tonight's applicants.

I. PRESENTATIONS

There were no presentations.

J. NEW BUSINESS

1. Special Use/Site Plan Review #21-02-01: Applicant, EDS Properties, is requesting a Special Use/Site Plan review to establish a potato chip manufacturing/processing facility on vacant property located at West Commerce Drive, Traverse City MI 49685, parcel #28-02-255-051-00.

Chairman Heim stated that the Site Plan review will be guided by the Ordinance under Section 10.04, # 29. The Standards for Approval are under Section 22.04. Please see the complete Standards for Approval in the attached reference materials.

Chairman Heim opened the Public Hearing at 6:08 p.m.

The applicant was represented by Bill Crain, Crain Engineering. He summarized the application, stating that the land is Unit 51 of Chums Village. This is Phase One – a 32,000 SF facility housing 12,000 SF for production, 18,000 SF for warehousing, and 2,000 SF for office/staff space. The total project square footage to be built in Phases One and Two is 47,000 SF. Mr. Crain stated that applications have been submitted to the Grand Traverse County Road Commission for approval of the access to be located on West Commerce Drive. The proposed facility abuts a residential area on the west side; the site plan shows landscaping to screen the facility on that side. Ed Girrback, President of Great Lakes Potato Chip Company, described the operations of the facility, which currently operates at 6806 E. Traverse Highway, Traverse City, MI 49684, 231-421-8040.

Commissioner Boeve inquired as to the possibility of odor and noise from the facility during the production process, and with regards to the close proximity to the baseball park nearby. In response to the question, Mr. Girrback said that the production process takes place from 6am to 10pm, with two production shifts. Commissioners Nickerson and Wagner added that they have been to the current facility and the odor is consistent with the smell of potato chips, neither offensive nor overpowering in their opinions. Mr. Girrback currently employs 35 people; 20-22 work the first shift, 14-16 work the second shift, and the third shift is a cleaning shift that employs 5-6 people. There is very little waste created in the production process, and all the oil is completely used. Due to strict government regulations mandating stringent food production processes, his facility is inspected thoroughly for food safety. His current customers, Gordon Food Services, Costco among others, require that the facility is audited regularly and adheres to the highest industry standards. The site plan property is currently zoned Commercial Manufacturing, in line with the application's purpose.

Chairman Heim reviewed the Staff Report, Article 10 Commercial Manufacturing, summarizing Section 10.04 of the Zoning Ordinance, Uses permitted by Special Use Permit, Sec.29 Light manufacturing industrial uses which by the nature of the materials; equipment and processing utilized are to be considered clean, quiet, and free from objectionable or dangerous nuisance or hazard, including any of the following uses when conducted within a completely enclosed building.

a. The manufacturing, compounding, processing, and packaging or treatment of bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, toiletries, condiments, (except fish, sauerkraut, vinegar, and yeast).

Article 18 – Site Development Standards

1. The lot shall be accessed from a paved roadway. **Commerce Drive is paved.**
2. The site plan requires 41 parking spaces; **the site plan shows 55 spaces.**
3. The dumpster as shown is screened and on a concrete slab; **meets requirement.**
4. The loading dock as shown faces a road right-of-way, which does not conform to the standard. **This will need to be addressed, or a variance requested from the applicant to the ZBA.**

Chairman Heim opened up the meeting for questions from the Commissioners. There were no questions.

The Public Hearing was closed at 6:29 p.m.

Chairman Heim asked for discussion by the Commissioners on this Special Use Application.

Commissioner Boeve asked if the new site for the potato chip company so close to the ballpark is a good fit. Mr. Crain responded that the plan was previously submitted to Chums Village District Planning for comments, and all the comments received were positive.

Chairman Heim reviewed the Standards for Approval, 22.04, to be considered for Special Use Approval:

Section 22.04 Standards for Approval

1. The Planning Commission shall review the particular circumstances and facts related to each proposed special use application in terms of the following standards and requirements and shall make a determination as to whether the use proposed to be developed on the subject parcel meets the following standards and requirements:

a. Will be harmonious with and in accordance with the general objectives of the Master Plan.

b. Will be designed, constructed, operated, and maintained in harmony with the existing and intended character of the general vicinity and the natural environment so that the use will not change the essential character of that area.

c. Will not be hazardous or disturbing to existing or future neighboring uses.

d. Will represent a substantial improvement to property in the immediate vicinity and to the community as a whole.

e. Will be served adequately by essential public services and facilities, such as highways, roads, drainage structures, police and fire protection, and refuse disposal; or the persons or agencies

responsible for the establishment of the proposed special use shall be able to provide adequately for such services.

f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

g. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration or odors.

No issues were raised by the Commissioners upon review of the Standards.

Chairman Heim asked for action by the Commissioners.

Motion by Fitzpatrick, seconded by Nickerson to recommend to the Blair Township Board of Trustees to **approve Case SU #21-02-01 as presented** because it has met the Standards for Approval as required in Section 22.04 A through G of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wagner, Clous, Fitzpatrick, Boeve **No:** None. **Motion carried.**

The Site Plan Review for Case **SPR# 21-02-01** was next. Chairman Heim asked for feedback from the Commissioners on any Standards not met for the Site Plan Review, per the following:

Section 21.03 Standards for Approval (Amendment 104-05-08-05, Effective January 29, 2009)
A site plan shall be reviewed and approved by the Planning Commission upon finding that the following conditions are met:

1. That the proposed use will not be detrimental to the adjacent property or the surrounding neighborhood, including properties located in adjacent municipalities.
2. For all roads governed under this Ordinance, there shall be a proper relationship between existing roads and highways and proposed deceleration lanes, service drives, ingress and egress drives, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic. Public roads are not governed by this Ordinance.
3. That buildings, structures, parking areas, utility areas, walls, and fences are so designed and located to minimize the adverse effects of such development on users of such development and occupants of adjacent properties.
4. That any adverse effects of the proposed development and activities which will impact adjoining occupants or owners shall be minimized by appropriate landscaping, fencing, or other screening.
5. That as many natural landscape features as possible are retained, particularly where they provide a barrier or buffer between the development and adjoining properties used for dissimilar purposes, and where they assist in preserving the general appearance of the neighborhood.
6. The proposed development provides for the proper development of public utilities and infrastructure.

7. All buildings or groups of buildings are arranged to permit emergency vehicle access.
8. Site plan approval may be conditioned upon the applicant providing evidence that the necessary permits have been applied for. A land use permit shall not be issued until the Zoning Administrator receives a copy of the required permit(s).
9. The Planning Commission may require additional landscaping, fences, and walls in pursuit of these objectives and same shall be provided and maintained as a condition of the use to which they are appurtenant.
10. The Planning Commission may recommend that escrow money be placed with the Township so as to provide for a marginal service drive equal in length to the frontage of the property involved. Zoning compliance permits shall not be issued until the improvement is physically provided or monies having been deposited with the Township Clerk.
11. Where the Township has adopted a specific area or neighborhood improvement or redevelopment plans and recommendations involving, but not limited to, public rights-of-way, utilities and storm drainage, parking facilities, building placement, access drives, floor space density allocations, building facade and architectural treatment, no site plan shall be approved unless there is general compliance with such Township Plan.

Chairman Heim raised an issue regarding the traffic generated by such a production facility. Mr. Girrbach stated that several times a week a truck delivers cardboard; twice a week a truck delivers cooking oil; and a truck delivers the plastic film for the bags once a month. Normal business hours are considered 8am to 5pm weekdays; potatoes are delivered twice per day, dependent upon access to the growing fields.

Motion by Fitzpatrick, seconded by Lombard to approve Case SPR #21-02-01 with the following condition: 1, that the Special Use Application is approved by the Blair Township Board of Trustees. The site plan with the condition will have met the Standards for Approval as required in Section 21.03 #1 through #11 and is a use permitted in the Commercial Zoning District of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wagner, Clous, Fitzpatrick, Boeve **No:** None **Motion carried.**

Chairman Heim reminded the applicants that the site plans need to be signed in person at the Blair Township offices. Mr. Crain stated he would stop in the offices.

2. Special Use/Site Plan Review #21-02-02: Applicant, Peninsula Construction, is requesting a Special Use/Site Plan review to establish a warehouse and distribution for janitorial supplies on vacant property located at US 31 S, Traverse City MI 49685, parcel #28-02-005-029-12, north of US 31, East of East Silver Lake Road, Section 5 T26N R11W.

The Public Hearing was opened at 6:46 p.m.

The applicants, Gary Schaub and Chris Dittenbir, Peninsula Construction, 1125 Business Park Drive, Traverse City, MI 49686, answered questions via Zoom about the Special Use/ Site Plan Review application. The proposed building will consist of 75% warehouse capacity, and 25% office

space. The site is 5.02 acres and is zoned Commercial Manufacturing. Lisa Guerreri noted that the site plan as presented is deficient in the number of trees required for landscaping, but the existing trees may meet the requirement. Neither Mr. Schaub nor Mr. Dittenbir was certain of the number of trees already existing on the property. Commissioner Nickerson observed that in viewing the site in Google Maps, he believed that the six trees needed to meet the requirement did in fact exist. The site plan shows 47 parking spaces, there are 30 spaces required. Eric Somsel, Director of Emergency Services, confirmed that he has been in contact with the applicants regarding the turnaround dimensions needed for emergency equipment to service the site as planned; as depicted currently, the turnaround is insufficient to support emergency vehicles' turn radius. The applicants concurred they are working to meet this requirement.

Chairman Heim asked that the Standards for Approval, Section 22.04 be applied to this Special use request:

Section 22.04 Standards for Approval

1. The Planning Commission shall review the particular circumstances and facts related to each proposed special use application in terms of the following standards and requirements and shall make a determination as to whether the use proposed to be developed on the subject parcel meets the following standards and requirements:
 - a. Will be harmonious with and in accordance with the general objectives of the Master Plan.
 - b. Will be designed, constructed, operated, and maintained in harmony with the existing and intended character of the general vicinity and the natural environment so that the use will not change the essential character of that area.
 - c. Will not be hazardous or disturbing to existing or future neighboring uses.
 - d. Will represent a substantial improvement to property in the immediate vicinity and to the community as a whole.
 - e. Will be served adequately by essential public services and facilities, such as highways, roads, drainage structures, police and fire protection, and refuse disposal; or the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately for such services.
 - f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
 - g. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration or odors.

Chairman Heim asked for public comment. There was none. He then asked the applicants for additional comment. There was none.

The Public Hearing was closed at 6:59 p.m.

Chairman Heim asked for action regarding the Special Use application.

Motion by Lombard, seconded by Nickerson to recommend to the Blair Township Board of Trustees to **approve Case SU #21-02-02** as **presented** because it has met the Standards for Approval as required in Section 22.04 A through G of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wagner, Clous, Fitzpatrick, Boeve **No:** None. **Motion carried.**

The Site Plan Review was then discussed. The Site Plan Review Procedures applicable here are Section 21.01 Required Data, which were met per the Staff Report, and Section 21.03 Standards for Approval as listed below:

Section 21.03 Standards for Approval (Amendment 104-05-08-05, Effective January 29, 2009)
A site plan shall be reviewed and approved by the Planning Commission upon finding that the following conditions are met:

1. That the proposed use will not be detrimental to the adjacent property or the surrounding neighborhood, including properties located in adjacent municipalities.
2. For all roads governed under this Ordinance, there shall be a proper relationship between existing roads and highways and proposed deceleration lanes, service drives, ingress and egress drives, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic. Public roads are not governed by this Ordinance.
3. That buildings, structures, parking areas, utility areas, walls, and fences are so designed and located to minimize the adverse effects of such development on users of such development and occupants of adjacent properties.
4. That any adverse effects of the proposed development and activities which will impact adjoining occupants or owners shall be minimized by appropriate landscaping, fencing, or other screening.
5. That as many natural landscape features as possible are retained, particularly where they provide a barrier or buffer between the development and adjoining properties used for dissimilar purposes, and where they assist in preserving the general appearance of the neighborhood.
6. The proposed development provides for the proper development of public utilities and infrastructure.
7. All buildings or groups of buildings are arranged to permit emergency vehicle access.
8. Site plan approval may be conditioned upon the applicant providing evidence that the necessary permits have been applied for. A land use permit shall not be issued until the Zoning Administrator receives a copy of the required permit(s).
9. The Planning Commission may require additional landscaping, fences, and walls in pursuit of these objectives and same shall be provided and maintained as a condition of the use to which they are appurtenant.
10. The Planning Commission may recommend that escrow money be placed with the Township so as to provide for a marginal service drive equal in length to the frontage of the property involved.

Zoning compliance permits shall not be issued until the improvement is physically provided or monies having been deposited with the Township Clerk.

11. Where the Township has adopted a specific area or neighborhood improvement or redevelopment plans and recommendations involving, but not limited to, public rights-of-way, utilities and storm drainage, parking facilities, building placement, access drives, floor space density allocations, building facade and architectural treatment, no site plan shall be approved unless there is general compliance with such Township plan.

Commissioner Lombard asked if the future expansion would be included in the approval of tonight's Site Plan Review. Lisa Guerreri confirmed that it would as it was submitted per the plan.

Lisa Guerreri also reminded the Commissioners that any motion should include the condition of the fire/emergency services requirement for turnaround radius be met.

Chairman Heim brought up a point with the required data: there was no "North" arrow on the site plan drawings. Commissioner Clous answered that the "North" arrow was in fact on each page in the lower left corner of the drawings. Chairman Heim stated that a location map should accompany the site plan to identify the exact location of the parcel. Chairman Heim referenced the Standards for Approval, 21.03, but did not read each one. He reminded the Commissioners that any motion should include the two conditions: Special Use approval and suffice the Fire Code requirement.

Motion by Fitzpatrick, seconded by Clous to approve Case SPR #21-02-02 with the following conditions: 1, that the Special Use Application is approved by the Blair Township Board of Trustees, and 2, that the turnaround radius in the driveway meet the Fire & Emergency Services Code. The site plan with the conditions will have met the Standards for Approval as required in Section 21.03 #1 through #11 and is a use permitted in the Commercial Zoning District of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wagner, Clous, Fitzpatrick, Boeve **No:** None. **Motion carried.**

K. Unfinished Business

None

L. Reports

- 1) Zoning Administrator – Lisa Guerrieri said that she is very busy, and she is looking forward to the return to in person meetings.
- 2) Town Board Representative – Dennis Fitzpatrick reported that the Board of Trustees approved the Bigby Coffee application and the Little League Batting Cage proposal.
- 3) Zoning Board or Appeals – the ZBA met last week and granted DTE the fencing variance. Commissioner Lombard is looking to update the fencing ordinance to allow all essential services to use seven-foot fencing with barbed wire at the top without a variance request. Officer Jerome added that he is eager to work to make this change permanent as well.
- 4) Trails – no report

M. Any Other Business

In addition to the interest in the fencing ordinance update, Chairman Heim said that the loading dock ordinance needs to be reviewed as well. Commissioner Fitzpatrick offered that the parking space landscaping requirement seems silly and needs review. Commissioner Clous agreed.

N. Public Input

Commissioner Fitzpatrick announced that he received his first dose of the Covid19 vaccine today. Commissioner Lombard stated that he has received both his first and second doses.

O. Adjournment

Motion by Fitzpatrick, seconded by Lombard to adjourn the meeting at 7:17 p.m. All Yeas.

Motion carried.

Respectfully submitted,

Susan Kase, Recorder