

**ALPINE TOWNSHIP PLANNING COMMISSION REGULAR MEETING
Thursday, December 20, 2007**

07-61 CALL TO ORDER/ APPROVAL OF MINUTES/ PUBLIC COMMENT

The Alpine Township Planning Commission held its regular meeting on Thursday, December 20, 2007, at 7:30 PM, at the Alpine Township Center, 5255 Alpine Ave., NW, Comstock Park, MI 49321, with due notice. Present were Chair Jim Townsend, Vice-Chair Greg Madura, Secretary Nelda Johnson, and Dick Sedlecky. Excused was Jim May. Absent were Max Dunneback and Jason Rosenzweig. Also in attendance were Planning Director Sue Thomas and Recording Secretary Patricia Kolkman.

Townsend called the meeting to order at 7:30 PM with the Pledge of Allegiance.

Dunneback arrives at 7:33 PM.

Townsend first asked Commissioners if there was problem with amending the agenda by moving the Township Special Use request to the first item. He said that Commissioners arriving late can then participate in discussions on the Benner site plan amendments and special land use and the proposed Zoning Ordinance amendments. Commissioners had no objections.

He then asked if Commissioners had any changes to the regular minutes of the November 15, 2007 meeting; then he made a spelling correction and a text change. **Madura then moved, with Johnson's support, to approve the minutes from the November 15, 2007 Regular Planning Commission meeting as amended.**

Ayes: 5 Nays: 0 Motion carried.

Rosenzweig arrives at 7:37 PM.

In response to Townsend's question, no comments were made on non-agenda items.

**07-62 PUBLIC HEARING: Proposed Essential Services Special Land Use
And Site Plan for Sanitary Sewer Pump Station
Located on property addressed 2597 4 Mile Rd.**

Thomas presented a brief summary of a sanitary sewer project along 4 Mile Rd., which began in 2007 and requires a lift station to redirect sewer flow from Alpine Meadows Mobile Home Park and Kenowa Hills School buildings to the east into the new North Kent Sewer Authority wastewater treatment plant in Plainfield Township. She pointed out that Alpine Township will begin using the North Kent Sewer System wastewater treatment facility after the expiration of our contract with the City of Grand Rapids for wastewater treatment in November 2008.

The sanitary sewer system primarily relies on gravity flow, however, the system needs a pump station on 4 Mile Rd. at its lowest point to pump the flow uphill to the east. Thomas identified the location selected (Gracewil Country Club property at 2597 4 Mile Rd) for the new station, and added that the adjoining property owners have reviewed and

approved of the proposed site, and the Township received the required Zoning Board of Appeals approvals for both the size of the lot (24-feet x 32-feet) and placement (setbacks) for the above-ground structures.

The Department of Public Works requires that a pump station be located on its own separate lot. The largest structures, the valve chamber and wet well, are underground. Above ground will be the control panel and the permanent generator, required for backup power in the event of a power outage. The 5-foot 10-inch tall generator will have its exhaust directed to the sky, away from the nearest residence to minimize its impact. Since the generator is rated as residential-grade, its sound level is considered low, at approximately 68 decibels at 23 feet. Weekly maintenance checks will be done by Department of Public Works personnel starting the generator during normal business hours.

The control panel is 7 feet 2 inches tall with a 4-inch emergency light on top to be seen from 4 Mile Rd. over the proposed 6-foot tall white vinyl fence. The fence is planned to screen the site in addition to the arborvitae shrubs which will be planted at the east and west property lines. Access to the site is via an easement over the existing gravel drive entrance to the golf course. An additional emergency vehicle access will also be constructed over the sanitary sewer easement by installing gravel overlaid with 2 inches of top soil and grass.

Townsend asked if any Commissioners had questions or comments, and Rosenzweig asked why Michigan requires a Township to meet the same conditions a developer would as defined in its own Zoning Ordinance. Thomas commented that it is logical that a Township should meet the same standards it requires of its residents and developers.

Madura moved, with Sedlecky's support, to open the public hearing.

Ayes: 6

Nays: 0

Motion carried.

There being no comments offered from the audience, **Madura moved, with support from Johnson, to close the public hearing.**

Ayes: 6

Nays: 0

Motion carried.

SPECIAL LAND USE MOTION

Johnson then moved, with support from Madura, based upon representations made by the applicant to approve the Special Land Use Permit requested for the sanitary sewer pump station, within property addressed 2597 4 Mile Rd., NW, as it meets the standards set forth in Chapter 21 of the Alpine Township Zoning Ordinance, with the following FINDINGS OF FACT:

1. The addition of a sanitary sewer pump station as proposed is integral to the delivery of an essential public service;
2. The special use will not be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors; and
3. It will be harmonious with the character and use of the immediate vicinity and was designed in such a manner as to mitigate any negative effects.

Ayes: 6

Nays: 0

Motion carried.

SITE PLAN MOTION

Johnson then moved, with Madura's support, based upon representations made by the applicant, to approve the Site Plan dated December, 2007, drawn by Prein & Newhof Engineers, for the pump station located within property addressed 2597 4 Mile Rd., NW, with the following FINDINGS OF FACT:

- 1. The Site Plan meets the standards set forth in Chapter 18 of the Alpine Township Zoning Ordinance, and the necessary variances have been granted by the Zoning Board of Appeals on December 18, 2007; and**
- 2. The surrounding property owner has approved of the pump station's location.**

Ayes: 6

Nays: 0

Motion carried.

07-63 FURTHER CONSIDERATION: Proposed Zoning Ordinance Amendments
Chapter 1, Definitions, Section 2.43, Fences,
And Section 2.44, Commercial and Office
Building Design Standards

Thomas reminded Commissioners that the public hearing for these proposed Ordinance amendments was held at the November 15, 2007 regular Planning Commission meeting, but the PC had decided to postpone any further discussion. She reviewed the summary of amendments beginning with Chapter 1, saying it appeared an omission had occurred when Chapter 20 (Signs) was amended. Thomas suggests that "Signs- See Chapter 20" be inserted, and also that a definition for "Retaining Wall" be added. Commissioners made no further comment.

Section 2.43, Fences, now has amended illustrative diagrams matching the descriptive language in this section. Previously, this section was written in a way making it difficult to understand and administer. Rosenzweig asked why fences should be limited to 6 feet, and Thomas said most communities regulate fence height and 6 feet is a typical height limitation. She pointed out that the fence height limit is not being changed; only the *method of measuring* fence height has. The current method of height measurement would require the applicant to submit a topographical map to determine if the height of a fence was allowed. There were no further questions or comments on this section.

Section 2.44, Commercial Building Design Standards was originally written for only Commercial structures, but has now been expanded to include Office buildings. Past discussion by the PC has focused on the façade colors used, but the Planning Commission wants it to also include the building trim and accent colors. A portion of the amended text states that "building trim and accent colors may be complementary, but may not be bright colors." There was significant discussion among Commissioners on whether the terms "high intensity" or "bright" should be used in the descriptions of prohibited colors, and the agreement was that consistency in terminology used would avoid confusion. Thomas pointed out that colors used in trim, accent, or on roofs should not be so bright as to function as signs. Similar prohibitions against the use of neon as exterior lighting follow the same rationale. It was also confirmed that all non-security lighting for a Commercial or Office site must be turned off after hours. Thomas added

that she has confirmed that only *exterior* renovations and/or alterations of a Commercial or Office structure require that a builder must meet the design standards in this section.

After confirming that no additional public hearing was required, Townsend asked PC members if they had more comments, questions, or concerns. Since there were none, **Madura moved, with support from Johnson, to accept the recommended amendments to Chapter 1, Definitions, and Sections 2.43, Fences, and 2.44, Commercial and Office Building Design Standards as presented and to recommend adoption of the amendments to the Township Board.**

Ayes: 6

Nays: 0

Motion carried.

07-64 FURTHER CONSIDERATION:

Special Land Use Request for the Addition of a 10,000-gallon asphalt sealant tank

Applicant: Steve Benner, Evergreen Properties

Multiple Site Plan Amendments

To approved Site Plans for both Yorktown Center and Evergreen Storage 4020 Alpine Ave. and 4001 Alpenhorn Dr.

On direction from the Chair, Thomas summarized the applicant's requests, stating that aside from the request(s) for the two tanks (asphalt sealant and LP tank fill station), the site plan amendment requests seem reasonable. The submitted site plans, however, are still lacking in some detail, which must be provided. She commented that she knows that the overall site has undergone numerous changes since its inception and the resulting revised site plan is quite complex.

The Special Land Use request applies to the asphalt sealant tank only. Thomas reminded the Commission that in order to approve a Special Land Use request, it must find that the proposed use meets the six standards outlined in Section 21.02 (h) of the Zoning Ordinance. She then itemized the six standards and provided Commissioners her recommendation regarding each:

1. *Be designed, constructed, operated, and maintained so it will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed. Thomas stated that the tank will not be seen, but the use is not consistent with the overall intended use of the property and surrounding area.*
2. *Be adequately served by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, water and sewage facilities, and schools. This standard is met.*
3. *Not create excessive additional requirements at public cost for public facilities and services. This standard is met.*
4. *Not involve uses, activities, processes, materials, and equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors. Thomas said that she and the Fire Chief had visited another asphalt sealant company nearby whose tank is located outdoors in an Industrial park. Minimal odor was detected and both the operator and people at neighboring businesses agreed that any odor caused by transferring product was not offensive.*

5. Be consistent with the intent and purpose of the zoning district in which such use will be located, and not set precedents for development which could adversely affect the long term plans and policies of the Township. Thomas summarized that Contractor equipment yards are Special Land Uses in the C-2 district and not permitted by right, since the use can be incompatible with other permitted uses in that district, and is often incompatible with uses in other districts. She also disagreed with the applicant's statement that the use is similar to what Menards sells, since Menards they sell 5-gallon buckets of sealant with other home improvement items. Additionally, the applicant has stated that he proposes to dispense and sell asphalt sealant to a customer base made up of small sealant businesses, not residential property owners.
6. Be compatible with and in accordance with the Alpine Township Master Plan. The future land use designation is for commercial use, and the designation to the east is for high density residential use (York Creek Apartments.) The site immediately north is designated for commercial uses, and a Golden Corral restaurant, which received site plan approval earlier in 2007, is planned for that location. The use is not in keeping with surrounding land uses.

Thomas had several areas of concern regarding the asphalt sealant tank:

- While the applicant has reconfigured the building for the asphalt tank, has planned to place it within a spill containment pit, and has added the required permanent toilets, no traffic management plan has been addressed. The main gate is proposed as the only route to the tank, and it is on adjoining property.
- The applicant has not identified whether spraying or other equipment will be stored on the site, and where that storage will be. The applicant should also specify whether the spraying equipment will be rented to others. Staff recommends that all equipment or vehicles related to the asphalt tank be stored inside a storage unit at all times.

Thomas then addressed the multiple site plan amendment requests to the approved site plan for Parcel A:

- The second story of Storage Building "C" was approved by the Site Plan Review Committee on June 6, 2006. The approved driveway was never built, and the applicant proposes a larger structure addition, which is acceptable. However, two sets of doors are shown for the second floor on the submitted architectural drawings. Appropriate fall protection should be placed behind the top of the retaining wall in this location. Thomas commented that shrubs are neither appropriate fall protection nor a good visual warning of the grade change. The landscape plan must be amended if the shrubs are to remain after fall protection is installed.
- The applicant has also asked to add a 1,000-gallon outdoor liquid petroleum tank for retail sales. This use is considered a gasoline station, which is a permitted use in the C-2 district with the requirements stated in Section 2.14 and 2.25(f). These requirements include:
 - canopies covering the pumps, with a minimum setback from any property line of 10 feet, but the applicant only proposes an 8 or 9 foot setback.
 - A side yard lot line setback of 25 feet is required, but only 8 or 9 feet has been provided.

- Additionally, the canopy must be open on all sides, with a minimum clearance height of 12.5 feet, maximum clearance of 15 feet and maximum overall height of 18 feet. Clearance height(s) have not been noted on the site plan.
- Fuel pumps cannot be located closer than 20 feet from any property line, while the submitted site plan only provides for 11 or 12 feet.

The proposed layout will require the applicant to obtain variances for the requirements specified.

- The 1,000 gallon LP tank will be placed on top of the hill, a short distance from the fueling station below, with stairs connecting the two. The Michigan Department of Environmental Quality also has regulatory control over an LP tank fueling station. Especially since the proposed location is near a daycare center and a large apartment complex, staff recommends the applicant also provide details for both safety and security measures planned for the LP tank and the fueling station.
- The applicant has requested to increase the square footage of the first floor of Building "C" Phase II, from 17, 940 square feet to 20, 965 square feet, and to add a second story of the same size. The revised submitted drawings propose a 41,930 square foot addition. Thomas reminds the applicant and PC members that only those storage units with individual doors to the outside may be considered for use as contractor's offices, per the previously approved Special Land Use, and they must meet Building Code standards for such use. She added that all second floor units are accessed from an internal hallway with external doors on the west side.
- The northern end addition to Building "D" (originally part of Phase 2), has been revised to become part of Phase 3, since its original approval. The addition is also slightly smaller than originally proposed, and is acceptable.
- The amended site plan should accurately reflect that the new partial retaining wall required to stabilize the slope is not yet built. The wall must be 4+ feet high and 30+ feet in length, and must be completed no later than June 1, 2008. References to "existing retaining wall B" on the site plan should be removed, and details for the future wall must be added.
- The applicant was originally granted a driveway onto Alpenhorn subject to an upgrade of the road from residential (30 feet wide) grade to commercial grade (36-foot wide) from Yorkland Drive to Best Buy, which has not been done. This access is integral to the overall commercial site plan and especially the anticipated traffic for Retail Building "B" and these required road improvements should become a condition of site plan approval.

Thomas then presented the applicant's requested changes to the approved site plan for Parcel "B", containing future retail building "B":

- The applicant has asked to increase the dumpster locations from one enclosure to 3 smaller enclosures.
- The applicant asks to change the sidewalk and parking lot layouts at the southern end of the property, immediately north of the driveway onto Alpine Ave. The changes will improve pedestrian protection, vehicular traffic control, and also allow for any increase in parking in the front of the building, and is an acceptable request. However, the applicant must provide adequate fall protection behind the top of the long L-shaped retaining wall at this location. Sheet C-9 (containing details for the "I" retaining wall) was not

included in the submitted site plan and must be added. Construction details for materials used must be added to reflect same materials as was used in the retaining walls for Retail Building A.

- The applicant requests an increase in the building depth of another 2.7 feet, increasing the building size by 874 square feet. There is currently an 8-foot patio at the south end, and the request is acceptable if parking requirements for the site can be met.

Additional Parcel B site plan items

- The removal of text related to “existing grades” from sheet C-4. The applicant’s engineer has stated that a large mound of earth on the site is slightly higher than the finished floor of the proposed building, and this excess will be used to fill the west parking lot. Additional sand must still be brought into the site for backfill on retaining walls.
- The applicant has made application for a northern driveway onto Alpine Avenue. The public sidewalk is partially on private property near this drive and a Sidewalk Easement Agreement must be provided as was done for Parcel A.
- The applicant must submit a statement confirming that directional signage already approved for both Yorktown Center and Alpine Valley will be added to the site plan. This notation should include the drawing number and date of the Wade-Trim directional sign plan. (Drawing 1-1, dated 5/30/06)
- The applicant must pay close attention to future tenant mix to provide the required parking for each tenant. It is critical for the applicant to understand Section 19.04 (b) (1) which states “In the case of mixed uses in the same building, or on the same lot or parcel, the total requirements for off street parking and loading shall be the sum of the requirements for the individual uses computed separately.” It is the *applicant’s* responsibility to monitor tenant uses and determine if those parking requirements can be accommodated by the parking planned on the site.
- The site plan should delete notes that state (the proposed Building) “color to be determined.” Building colors will match existing Retail Building A.
- Details for retaining wall H must be reconciled. Sheet C-8 reflects a fall protection measure of 48 inches above the curb top but the narrative states it is 42 inches. Five (5) light poles are also shown on the wall which were not approved. This may be more lighting than is necessary. A photometric lighting plan with these five poles and all exterior building lighting should be submitted for review.
- The site plan shall be revised to reflect only the 5 parking lot poles previously approved. Light fixture “A” on Building B appears to be mounted upward, which is not permitted. Nine parking lot light poles are shown along Alpine Avenue on the most recently submitted site plan.

Thomas indicated that the overall site is complex and has had numerous modifications since it was originally approved in 2003. The requested amendments to the site plan(s) for the two parcels are generally acceptable; however, there remain many details which must be corrected or expanded upon to provide the information necessary for a complete review of the development site.

Commissioners then discussed their opinions about the site plan changes, agreeing that there was inadequate detail and information provided on the LP tank refueling station.

Townsend said he was reluctant to discuss it further without more detailed information than has been given.

Rick Postema, the applicant's architect, said that he has invited a representative of Pennington Gas to provide information on the propane filling operation. He displayed an overall site plan for Evergreen Properties storage facility, showing the canopy and the tank, with a property line between the two. He proposes a lot line shift to solve the setback issues.

Rosenzweig pointed out to Postema that it is possible the requested lot line shift would not be approved, which would require Mr. Benner to request a variance from the Zoning Board of Appeals. One of the standards for determining approval of a variance is that it cannot be granted by the ZBA if the hardship the applicant requests relief from is self imposed. Postema said they have just responded to the Planner's letter outlining Township concerns. Thomas responded that she has provided detailed information to the applicant since the spring of 2007.

Rosenzweig moved, with Dunneback's support, to table postpone the applicant's requests until further details are made available to the Planning Commission.

- *Sedlecky requested that the Pennington Gas representative be allowed to present his information on the LP tank filling station in case that information answered Commissioners concerns.*
- *Rosenzweig commented that even if the information is provided, there are two outstanding issues that cannot be handled by the Planning Commission; first the applicant must apply for a lot line shift to meet code requirements, and second, a request for a variance must be granted if the lot line shift is not approved.*

Townsend agreed that without these two requirements being met, no decision could be made on the Site Plan or Special Land Use requests, but in the interim the PC should review all relevant information available. Since the applicant has invited a representative from Pennington Gas, the PC should avail themselves of this resource.

Ayes: 6

Nays: 0

Motion carried.

Townsend called a 10 minute recess.

Postema then introduced Joe Stewart, of Pennington Gas Co., to provide details regarding the proposed LP tank filling station. Stewart explained to the PC that the MDEQ has already reviewed the proposal and is aware of both the daycare center and the apartment complex adjacent to the site, neither of which pose a concern to them. They have not identified any concerns related to distances from lot lines. He added that every proposed installation is reviewed independently and that all sites are different. He then explained that LP tanks can be filled from either the top of the tank, or the bottom of the tank and this will be from the bottom. "Crash" posts are required around both the tank and the cabinet which holds all the gauges and mechanisms for pumping.

Townsend expressed concern about the applicant's plans to protect the tank from above, since there are changes in grade between the location of the tank near Alpenhorn and the retail center above it on Alpine Ave. There was significant and spirited discussion among Commissioners about their safety concerns for not only the daycare center "next door" to the tank location, but the apartment complex across the

street. Townsend commented that he has concerns about ignition sources and points out that today is a different time and we should be alert to the possibility of terrorist acts or a "Columbine like" incident, which would cause significant damage. A vehicle could also hit the tank from above.

Rosenzweig asked why the tank could not be buried, as is often done with residential propane tanks. Stewart said that the control mechanisms for this tank are at its bottom, not the top, so that could not work.

Madura stated he had concerns about fumes collecting in the immediate area, since there are buildings on three sides around the site.

Stewart then said that any installation must meet the strict standards of NFPA 58, and the canopy proposed is open on three sides, with the tank outside of that area. He said that filling must take place off the road and that the propane gas is "heavier than air".

Discussion then ensued on the request for an asphalt sealant tank. Postema said there was a change to the location originally requested, and that the proposed location is more in the center of the area. Access to the tank will only be from the main gate, and the required public toilets have been added to the structure. There is also now "spill containment" built into the structure itself.

Tony Reckert, from Sealmaster in the Detroit area, then provided additional information about the proposed asphalt sealant use at this site. His firm manufactures the tanks and the equipment to dispense the product, so he is familiar with the material. He provided samples to Commissioners to illustrate its limited odor. Due to the extreme fluctuations in energy costs and the gasoline market, this product was developed. Some coal tar in the product will have a residual odor, but the volatiles in the coal tar make the product perform better.

His company inspects all tanks before they are filled. He was unable to estimate the probable truck traffic, since there is typically no consistent volume of traffic from the morning into the evening. A similar installation is in operation in the Cleveland area. He explained the containment system designed for Evergreen Storage will handle material from the 10,000 gallon tank. The tank will be filled by two tanker trucks, each with a 4,000-gallon capacity. The tank itself is not inexpensive, though the owner could recoup his cost in 3 years.

Madura directed questions to Benner, who confirmed that he will be purchasing a truck for his own use for parking lot maintenance at his multiple sites in the Metro area. This truck will be stored in one of his storage units at the Evergreen Storage site. He later confirmed that there would be no individual residential sales, and that he expects to be open from 9 AM to 7 PM, Monday through Friday.

Madura then said he had done some of his own investigating and found that asphalt has an extremely high ignition point. If this is so, why will there be a firewall in the structure? Thomas answered that the Building Code requires a building of this size to either have a sprinkler system or to have a fire wall.

Benner then described some of the future grade differences on the site and how that will impact future development. Townsend said he would like to see how the Cleveland

asphalt sealant tank is operated before he makes a decision on this request. He then offered the public an opportunity make comments.

Rick DeKam, of Midwest Realty, owns the site immediately north of the Yorktown Center site, and commends Benner on the development itself and its overall appearance. He then said he is the former owner of an asphalt plant, and because of that experience, he thinks that an asphalt sealant operation here would be an industrial use in a retail area. He expressed concern that an industrial development adjacent to his land would hamper his future development potential. He commented that he has only recently seen the proposed design of the new structures and while he likes the design of it, his current tenants' businesses may not be compatible with this type of use. His development plans cover the three parcels north of Yorktown Center's retail center. Parcel "A" is the retail strip already under construction, and includes the El Burrito Loco restaurant. Parcel "B" is planned for a Golden Corral restaurant, and Parcel "C" is expected to be an approximately 30,000 square foot retail center.

Townsend asked DeKam why he thought the asphalt sealant tank would be a problem to the Golden Corral and other future tenants. DeKam said since it is an industrial use, other industrial uses may follow if this one is allowed. He didn't think odors would become a problem, but that Benner may of necessity park equipment outdoors when it needs repair. He added that he hoped the Township would consider the needs of adjacent property owners in making its decision on new development, as he had only recently been advised of the applicant's request. He pointed out that the site north of his retail building (Verizon Wireless) has caused its storm water to wash out the rear yard of his building on Parcel "A".

DeKam then pointed out that there is a 17-18 foot difference in grade between his Parcel "B" (Golden Corral) and Benner's land. His engineers have requested both guardrails and fences between the two. He also commented that the site plan shows a wall to be built on the property line between them, which he did not realize a developer could do without the adjacent property owner's agreement. He asks to be included in all future meetings on Benner's development, and cites as an example his need to know materials used for this wall so it will complement his own development.

Sedlecky commented that a retaining wall is can be designed to stop a car, and can be built on a property line.

DeKam then added that he had drafted a development agreement with Evergreen Properties, so they could work together as their projects move along. This is so that design, colors, and materials will blend and complement the two sites. Thomas encourages both owners to continue working together as their development plans take shape.

Benner agreed working together is important, and promised to provide copies of future plans to DeKam as available. He went on to say that the asphalt sealant tank will be enclosed, that the property it will be on is "in a hole", and that it is surrounded by his storage buildings on three sides. It cannot be seen from Alpine Ave. He pointed out that some of the storage units on the site have already been leased to various contractors for their offices as well as a cabinet maker who uses his unit for a woodshop.

Thomas commented that the amended site plan makes some improvements, but the Township did not anticipate Benner asking to operate a seal coat business, which she does not think the Township would have considered for this site.

Rosenzweig agreed that the site itself is unique, and its topography helps shield uses from adjacent properties. Thomas pointed out that the applicant has shown difficulty meeting the conditions of his previously approved Special Land Uses.

Townsend asked Commissioners for their reactions to this request:

Dunneback does not agree that the LP tank refill station is like a gas station, and is opposed to approving the Special Use request(s) as presented.

Rosenzweig needs more information to make a decision.

Madura is opposed to both request(s) as they would still be visible from the apartments.

Sedlecky favors approving the Special Use request and does not see the businesses as industrial uses.

Johnson needs more information on the Special Use, but is leaning towards a denial of the request.

Townsend also needs additional information before making his decision, and is also leaning towards a denial. He suggests offering Benner an opportunity to provide the Commission with compelling evidence that the special use and LP tank he is requesting are appropriate to this site.

Rozenzweig moved, with Sedlecky's support, to postpone further discussion and a decision on Benner's requests until a later meeting, when he is able to provide the PC with additional information.

Ayes: 3

Nays: 3

Motion failed.

Madura said he prefers all details on these requests are provided and concerns resolved before the Commission renders its decision.

Postema gave a description of the retaining wall on the northern property line of Parcel B, stating it is a cantilevered concrete design, to be extended to 42" above grade, with rebar for reinforcement. It is the same style as the other wall on the Benner site, although it does differ from the one DeKam has used on his property. Postema said he had considered designing a wall like DeKam's but decided to continue with what is already on the Yorktown Center site.

Madura moved with support from Sedlecky, to postpone further discussion of the Benner requests until the January 17, 2008 Regular Planning Commission meeting.

Ayes: 6

Nays: 0

Motion carried.

07-65 COMMISSIONER COMMENT/COMMITTEE UPDATES/ ADJOURNMENT

Thomas advised Commissioners that she hoped to have the final adopted 2007 Master Plan available by the January meeting. She added that members should be prepared to discuss the Planning Commission's Work plan for 2008, in addition to electing officers and committee members for next year.

Rosenzweig commented that he thought the Township Board meeting on Monday December 15, 2007, was managed very well and the Board did adopt the Master Plan the PC had recommended. He was also quite surprised at the number of people who had attended.

Madura moved, with Johnson's support, to adjourn at 10:50 PM.

Ayes: 6

Nays: 0

Motion carried.

Nelda Johnson, Secretary

Patricia Kolkman, Recording Secretary