

**CITY OF FRASER PLANNING COMMISSION MEETING
MUNICIPAL BUILDING ~ 33000 GARFIELD ROAD
Wednesday, December 01, 2021
MINUTES Draft**

PRESENT: CHAIRPERSON: WARUNEK, MEMBERS: BARR, CZARNECKI, FARINA, KEIL, PERRY

EXCUSED ABSENCE: None

ALSO PRESENT: CLARK ANDREWS, CITY ATTORNEY
ALYSSA ALBRIGHT, CITY ATTORNEY
DYLAN CHURCH, CITY ATTORNEY
PAUL URBIEL, McKENNA

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE:

Chairperson WARUNEK called the meeting to order at 7:03 PM

2. ROLL CALL:

Members: Barr	Present (participating from Macomb County, City of Fraser, Michigan)
Czarnecki	Present (participating from Macomb County, City of Fraser, Michigan)
Farina	Present (participating from Macomb County, City of Fraser, Michigan)
Perry	Present (participating from Macomb County, City of Fraser, Michigan)
Keil	Present (participating from Macomb County, City of Fraser, Michigan)
Warunek	Present (participating from Macomb County, City of Fraser, Michigan)

3. APPROVAL OF AGENDA - Regular meeting of December 01, 2021:

Motion by Member: KEIL

Support by Member: PERRY

To: Approve the agenda of December 01, 2021 as presented.

AYES: 6 (BARR, CZARNECKI, FARINA, KEIL, PERRY, WARUNEK)

NAYS: 0

MOTION CARRIED

4. CHAIRPERSON'S OPENING REMARKS:

Chairperson WARUNEK read the formal statement relative to the powers of the Planning Commission and the facts and conditions for granting site plan approval. Chairperson WARUNEK read the formal statement relative to virtual public meetings and remote participation.

5. APPROVAL OF MINUTES August 04, 2021:

Motion by Member: FARINA **Supported by Member:** CZARNECKI

To: Approve the minutes of the August 04, 2021 meeting as amended. Amendments include:

1. Page 3 item Site Plan 21-07 to read, "Addition of a bike rack with more than two-bicycle capacity."
2. Page 4 item Site Plan 21-07 to read, "Addition of a bike rack with more than two-bicycle capacity."

AYES: 6 (BARR, CZARNECKI, FARINA, KEIL, PERRY, WARUNEK)

NAYS: 0

MOTION CARRIED

6. NEW BUSINESS

A. Public hearings: None.

B. Site plan and Other Reviews: None.

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C. Administration Update

DISCUSSION: URBIEL explained that since the Planning Commission has not met in a few months that he would give an update on items that have been going on in the office recently. There will be likely at least 2 items for discussion in January, if the applicants submit materials on time. Additionally, hard copies of the packet will always be delivered from this point forward.

Construction on Autozone is nearing commencement. The City Attorney also has a revised easement agreement for review pertaining to the industrial development located on Kelly Road.

The City Administration is taking applications for Planning Commission reappointments. It is likely that the Commission will be meeting in-person in January 2022.

FARINA explained that his written comment to the administration regarding safety measures at in-person meetings (considering the ongoing COVID-19 pandemic) include the following questions/concerns:

- If there will be partitions between seats on the dais, and between the dais and the public seating
- If the room will be modified to accommodate social distancing
- If there will be a mask mandate
- If there will be a maximum capacity permitted in the room

7. UNFINISHED BUSINESS:

A. 01-19SUB / MAX MANCINI / GARFIELD PARK - SUB PARCELS 1-10 / PROPOSED SITE PLAN AMENDMENT

DISCUSSION: ANDREWS noted that the obligation to combine parcels 4 and 5 are the responsibility of Mr. Mancini, the applicant. URBIEL explained that at the August 4, 2021 Planning Commission meeting, the Commission approved an extension of 3 months' time for the applicant to obtain a lot combination of the subject parcels. A lot combination requires a survey and legal description of both parcels, as the City Assessor informed the applicant. To date, neither a completed application nor the survey drawings have been completed or submitted.

FARINA questioned what the Commission can do to ensure that the request of the applicant is completed. ANDREWS responded that the Commission has the right to deny the site plan amendment that the applicant has requested. The City has the right to enforce the obligations that the applicant had with the original site plan.

The administration's opinion of the application is that, absent the lot combination, it is not in the City's interest to approve the request and thus it should be denied. The lot combination is required to comply with Ordinance requirements pertaining to frontage, vehicular access, and infrastructure. KEIL noted that the applicant's most recent communication appears that they are in the process of completing the Commission's lot combination requirement. PERRY questioned what else is to be gained by denying the request.

CZARNECKI noted that the application first considered the application on February 6, 2019. It does not appear that Mr. Mancini has made any steps to combine the lots, or get the taxes paid. BARR noted that the applicant should be held to the City's processes, and applicants should be held to the standard of their site plan approval. WARUNEK stated that the applicant has already completed several tasks and the applicant should finish the project the way the Commission has requested. If the Commission were to deny the site plan, there will be too many variables and that the Commission should consider an extension.

BARR suggested that the application could be tabled for one month.

Motion by Member: CZARNECKI Supported by Member: FARINA

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To: Deny 01-19SUB / MAX MANCINI / GARFIELD PARK - SUB PARCELS 1-10 / PROPOSED SITE PLAN AMENDMENT for the following reasons:

1. The proposed site plan amendment would create a nonconforming unbuildable lot with no frontage on a public road.
2. It would potentially cause future negative impacts for emergency vehicles and require future infrastructure investment for the development east of parcel 4.

AYES: 3 (BARR, CZARNECKI, FARINA)

NAYS: 3 (KEIL, PERRY, WARUNEK)

MOTION FAILS

Motion by Member: KEIL

Supported by Member: WARUNEK

To: Postpone 01-19SUB / MAX MANCINI / GARFIELD PARK - SUB PARCELS 1-10 / PROPOSED SITE PLAN AMENDMENT, for one month, until the January 5, 2021 Planning Commission Meeting with the following conditions:

1. The application build-out given to the administration with the survey, drawings, and legal descriptions
2. Taxes on parcel 5 must be paid in full

AYES: 5 (BARR, FARINA, KEIL, PERRY, WARUNEK)

NAYS: 1 (CZARNECKI)

MOTION CARRIED

8. PUBLIC COMMUNICATIONS ON NON-AGENDA ITEMS:

DISCUSSION: None.

9. ZONING BOARD OF APPEALS MEMBER LIASION REPORT:

DISCUSSION: FARINA noted that the ZBA has not had a meeting since September.

10. COMMISSIONERS' COMMENTS AND ITEMS OF INTEREST / CONCERNS:

Member Barr:	None.
Member Czarnecki:	None.
Member Perry:	Happy holidays and happy new year.
Member Farina:	Requested to always have hard copies of the Planning Commission packet, a week prior to the meeting. St. Malachy is having breakfast with Santa on December 5 th .
Member Keil:	Happy holidays and happy new year.
Chair Warunek:	Term as chairperson is ending soon. Happy holidays and happy new year.
McKenna:	Will deliver hard copy packets for every meeting from this point forward and happy holidays.
City Attorney:	Happy Holidays and happy new year and encourages everyone to do what they can to stay safe and healthy.

11. ADJOURNMENT:

Motion by Member: FARINA **Support by Member:** KEIL

To: ADJOURN THE MEETING OF DECEMBER 01, 2021 at 8:25 PM

AYES 6 (BARR, CZARNECKI, FARINA, KEIL, PERRY WARUNEK)

NAYS 0

MOTION CARRIED

Audience members: None.