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**PLANNING COMMISSION MINUTES
CITY OF FRASER
33000 GARFIELD, FRASER, MI 48026
MARCH 2, 2022 - 7:00 P.M.
As Approved June 1, 2022**

A regular meeting of the City of Fraser Planning Commission was held on Wednesday, March 2, 2022 at 7:00 P.M. The meeting was held in City Council Chambers, 33000 Garfield Road, Fraser, MI 48026.

1. CALL MEETING TO ORDER

Chairman Warunek called the meeting to order at 7:00 p.m.

2. ROLL CALL

PRESENT: Chairman: Warunek Members: Barr, Czarnecki, Farina, Perry, Keil

ABSENT: None

3. APPROVAL OF AGENDA – REGULAR MEETING MARCH 2, 2022

Motion by Czarnecki supported by Keil to approve the agenda as presented.

AYES: Barr, Czarnecki, Farina, Perry, Keil, Warunek

NAYS: None

4. CHAIRPERSON'S OPENING REMARKS

Chairperson Warunek made the following 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.

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5. APPROVAL OF MINUTES – REGULAR MEETING DECEMBER 1, 2021

Motion by Keil supported by Perry to approve the minutes of the December 1, 2021 City of Fraser Planning Commission Meeting as presented.

AYES: Barr, Czarnecki, Farina, Perry, Keil, Warunek

NAYS:

6. NEW BUSINESS

A. Public Hearings: None

B. Site Plan and Other Reviews: None

C. Planning Commissioner Vacancies and Candidate Interviews

Chairman Warunek indicated there were three Planning Commission members whose terms had formally expired on December 31, 2021. They had all expressed written interest in continuing to serve on the Commission. Planning Commission makes recommendations on their choice for Commissioners to the City Council for final approval. He added that there was one vacancy that would need to be filled and there were two candidates that would be interviewed tonight.

Motion by Perry, supported by Barr, to recommend to City Council that Randy Warunek be reappointed to the Planning Commission for a term ending December 31, 2024.

AYES: Barr, Czarnecki, Farina, Perry, Keil

ABSTAIN: Warunek

NAYS: None

Motion Carried

Motion by Keil, supported by Farina to recommend to City Council that Kenneth Perry, Jr. be reappointed to the Planning Commission with A term ending December 31, 2024.

AYES: Barr, Czarnecki, Farina, Keil, Warunek

ABSTAIN: Perry

NAYS: None

Motion Carried

Motion by Farina, supported by Keil to recommend to City Council that Joanne Barr be reappointed to the Planning Commission with a term Ending December 31, 2024.

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AYES: Czarnecki, Farina, Keil, Perry, Warunek

ABSTAIN: Barr

NAYS: None

Motion Carried

Michael Lesich and Renee Myer were at the meeting to be interviewed for the vacancy on the Planning Commission.

Ms. Meyer left the meeting room at 7:14 p.m. and Planning Commission began their interview with Michael Lesich. They inquired as to his time living in Fraser, if he had served on any other Boards and/or Commissions for the City, why he was interested in serving on the Planning Commission and various other issues.

Mr. Lesich reviewed that he had served on the Recreation Commission as well as City Council. He had a great passion for the City and wanted to help it move in a positive direction. He informed the Commission that he had completed the Citizen Planner Course offered through MSU Extension. The interview ended at 7:21 p.m.

Commission began their interview with Ms. Meyer at 7:22 p.m. Upon introduction she answered many of the questions they had asked Mr. Lesich. She had lived in Fraser over 50 years, was employed at an architectural firm, could read Blueprints/drawings/plans and she understood how the Zoning Ordinance worked. She was anxious to serve the City of Fraser and felt she would be a good fit. Commissioner Farina asked her if her employer worked on a project that came before the Commission – that may be a conflict of interest. She shared that they did a little work in Fraser but generally not much. She understood she would have to abstain from voting on those petitions. Commissioner Czarnecki indicated that on those petitions/project she would also have to recuse herself from discussion. Commission ended her interview at 7:35 p.m.

Planning Commission voted their ballots, folded them and passed them to the City Attorney and City Planner. After tallying the votes it was discovered that Planning Commission had voted three members to recommend Mr. Lesich for appointment and three members to recommend Ms. Meyer for appointment. Chairman Warunek recommend that Council be told both applicants would be a good fit for the vacancy on Planning Commission.

D. 2021 City of Fraser Annual Planning Report

Planner Paul Urbiel stated that a copy of the 2021 City of Fraser Annual Planning Report had been printed and was in their packet. He reviewed the information that was provided in this document. Commissioner Czarnecki asked about future projects, particularly revision of the Sign Ordinance and reviving the DDA in Fraser. Further discussion was had.

Motion by Czarnecki, supported by Farina to accept and file the 2021 City of Fraser Annual Planning Report as presented.

AYES: Barr, Czarnecki, Farina, Perry, Keil, Warunek

NAYS:

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E. Elect Planning Commission Officers

Chairman Warunek indicated that it was once again time to elect officers for the Planning Commission. The offices up for election were those of Chairman, Vice-Chairman and Secretary.

Farina nominated, with support by Keil, Randy Warunek for the office of Chairman. Warunek accepted the nomination. No other nominations were heard. Randy Warunek deemed to be Chairman.

Czarnecki nominated, with support by Perry John Keil for the office of Vice-Chairman. Keil accepted the nomination. No other nominations were heard. John Keil deemed Vice-Chairman.

Barr nominated, with support by Keil, Kenneth Perry for the office of Secretary. Perry accepted the nomination. No other nominations were heard. Kenneth Perry deemed Secretary.

F. 2022 Planning Commission Calendar

Chairman Warunek spoke to the proposed 2022 Planning Commission calendar that was presented to them. He noted that all the dates were according to their by-laws – the first Wednesday of the month.

Motion by Farina, supported by Perry to approve the 2022 City of Fraser Planning Commission calendar as presented.

AYES: Barr, Czarnecki, Farina, Perry, Keil, Warunek

NAYS:

7. UNFINISHED BUSINESS

A. 01-19SUB/ Max Mancini/ Garfield Park – Sub Parcels 1-10/ Proposed Site Plan Amendment

Mr. Mancini was present at the meeting and ready to discuss this matter with Planning Commission. City Planner Urbiel reviewed the history of the site and why the petitioner was before them. The petitioner was asking to amend an approved site plan. The proposed amendment would allow the properties to remain as currently built. If approved, one of the lots, 'Parcel 5', at the end of Anita Avenue would not have an improved road in front of it as in the original site plan. Per the City's zoning ordinance, every dwelling or principal building must be located on a lot which fronts on an improved public or existing private street – therefore, if approved, a principal building would not be permitted to be built without further investment in the road and utilities. He reviewed that Planning Commission has had this matter before them for quite some time and felt they had come up with a good solution for everyone where he could sell the lot to the homeowner next to it and it could then be combined.

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Mr. Urbiel indicated that he felt progress had been made on this since it was last before the Commission, but that the solution of having the lots combined had not been fully executed yet.

Mr. Mancini then addressed the Commission. He indicated that he felt he had not expressed himself properly over the course of discussions regarding this matter with Planning Commission. He was very close to having the combination paperwork for Lots 4 and 5 completed. He needed to obtain signatures from the purchaser and obtain a new legal description for the combined lot.

Mr. Mancini then reviewed the history of what led to his applying for an amended site plan. Before he went any further with the combination of the lots he wanted to know why the City Planner felt this was a non-conforming lot. He shared that he had placed infrastructure for each lot when he started building a house on that lot. He was surprised when a new building administrator required him to have all the infrastructure in prior to issuing a building permit for the lot they are discussing.

He went over the concerns about emergency vehicles having enough room to turn around at this site if the road were not completed. Again, he wanted to know why Mr. Urbiel felt this was a nonconforming lot. Mr. Urbiel explained that it is clear in the Zoning Ordinance, Article III Section 32-45 in order for the lot to be considered a buildable lot it must have frontage on an improved public or existing private street, road or highway. The proposed amendment would leave Parcel 5 without frontage on any such passageway. Further discussion was had. Chairman Warunek noted that the confusion may be a simple matter of terminology. "Non-conforming" was used, when what was meant was a structure could not be built on the lot if the amendment passed. The lot is "buildable" if it has water, sewer and frontage on an approved type of roadway.

At this time City Attorney Andrews addressed the matter. He noted that when the original developer, back in 1926, put together this development the proposal showed that the street was to be extended in front of this lot. Many times an entire development, once approved, must have all of the infrastructure in place prior to be granted a building permit for anything. It was done differently in this case. It seems to him that Mr. Mancini was asking to be allowed to not have to put any infrastructure in front of Lot 5 even though he had agreed to do so when the original site plan was approved. The best solution seemed to be combining this lot with Lot 4.

Chairman Warunek stated that he feels a big part of the problem is that this was originally platted in 1920's and laws, rules and standards have changed since that time.

Commission Member Farina asked Mr. Mancini why he waited so long to address this issue. Mr. Mancini stated that his relationship with the building administration had changed and he felt he was not going to be able to develop this lot in the same manner in which he had the others. Discussion was had on who Mr. Mancini has worked with from the City previous to this administration. Mr. Mancini stated he worked with BJ Van Fleteren from the DPW, Fire Chief Van Flemmner and Randy Warunek was the building official, but the original submission to the Building Department was to Tim Wood. Further discussion was had on this matter. Attorney Andrews suggested that if there is any questions as to whether or not Mr. Warunek may have been involved in a decision that may have an effect on the outcome of the proposed amendment he should abstain for voting on that matter.

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Discussion was had about other lots on Anita owned by the City. Mr. Mancini and the Commission discussed how long a site plan was valid for and what effected this timeline. He then stated that he has begun the route the Planning Commission has suggested. He is working on the application for combining of parcels. He was in the process of completing this right now and just needed the purchaser's signature and a new survey of the new lot after the two existing ones are combined.

Commission discussed giving him additional time to complete this process. At this point Attorney Andrews suggested that giving Mr. Mancini one additional month would not really do much good.

Motion by Farina, supported by Keil to postpone action on 01-19SUB/ Max Mancini/ Garfield Park – Sub Parcels 1-10/ Proposed Site Plan Amendment until the September 7, 2022 City of Fraser Planning Commission Meeting.

AYES: Barr, Farina, Perry, Keil, Warunek

NAYS: Czarnecki

Motion Carried

Mr. Urbiel noted that should the combination be finalized before that meeting he would advise members of the Planning Commission at that time.

8. PUBLIC COMMUNICATIONS ON NON-AGENDA ITEMS

None at this time.

9. ZONING BOARD OF APPEALS MEMBER LIAISON REPORT

Planning Commissioner Farina shared with the Commission that the ZBA was meeting tomorrow night on an issue with signs on Kelly Road. He then asked if ZBA would be filing a report like the Planning Commission did and said he would like all of ZBA to get a copy of the 2021 Planning Commission Report.

10. COMMISSIONER'S COMMENTS AND ITEMS OF INTEREST/ CONCERN

Barr – Nothing at this time

Czarnecki – Congratulations to new officers of Planning Commission. She asked if there were any new applications coming up?

Farina - St. Malachy's Church started their Fish Fry on Friday night's during Lent.

Keil - Would like all Planning Commission members to get a Hard copy of the Master Plan as approved

Perry - Nothing at this time.

Warunek - Asked about abstaining from voting on the Mancini issue Attorney Andrews indicated they would be mindful of this going forward.

Andrews - Introduced Haley Tomich – she was a young, bright Attorney from his firm, she would be attending the ZBA tomorrow night.

Urbiel Nothing at this time.

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11. ADJOURNMENT

Motion by Farina, supported by Czarnecki to adjourn the meeting at 9:32 p.m. .

AYES: Barr, Czarnecki, Farina, Perry, Keil, Warunek

NAYS:

Motion Carried

Respectfully Submitted:

Cindi Greenia, Clerk
City of Fraser