

**MINUTES OF THE REGULAR MEETING OF THE CITY OF ROMULUS PLANNING
COMMISSION HELD ON MONDAY, MARCH 18, 2013**

1. The meeting was called to order by Chairperson Freitag at 7:00 p.m.
2. Roll Call Showing: Leroy Burcroff, Byron Butler, Michael Glotfelty, Daniel McAnally,
David Paul, Michael Prybyla, Melvin Zilka and Cathy Freitag
Excused: Diane Banks-Lambert
Also in attendance: Carol Maise, City Planner and Linda McNeil, Sr. Secretary
3. Motion by Zilka supported by Burcroff to approve the agenda as presented. Roll Call Vote: Ayes – Zilka, Burcroff, McAnally, Butler, Paul, Prybyla, Glotfelty and Freitag. Nays – none. Motion Carried.

Agenda

1. Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Approval of the minutes of the regular meeting of the Planning Commission held on Wednesday, February 20, 2013.
5. Comments from Public on Non Agenda Items
 - A. Request to propose Beekeeping ordinance amendment and modification
6. Public Hearings
 - A. PC-2013-001/002; HD Supply Outdoor Storage, requesting special land use and site plan approval for a outdoor storage area to be used for equipment supply storage as an accessory use on 2.0+- acres at 38000 Jay Kay Drive located at the south side of Van Born Road between Jay Kay Drive and Cogswell. Zoning: M2 – General Industrial District. (Action required: Hold a Public Hearing and make recommendation on Special Land Use to City Council and take action site plan.)
 - B. PC-2013-005/006; Lee Steel/DTE Substation, requesting special land use and site plan approval for construction of a DTE Substation, telecommunications tower and revisions to the approved site plan on 1.42+-acres located on the north side of Eureka Road between Huron River Drive and Wahrman Road. Zoning: M2 – General Industrial District. (Action required: Hold a Public Hearing and make recommendation on Special Land Use to City Council and take action site plan.)
7. Old Business
8. New Business
9. Cases Involving Advice or Input from the Planning Commission
10. Reports

- A. Chairperson
- B. City Planner
 1. Planning Department Status Report
 11. Reports on Interest Designation
 12. Communications
 13. Adjournment
 4. Motion by McAnally supported by Glotfelty to approve the minutes of the regular meeting of the Planning Commission held on Wednesday, February 20, 2013. Roll Call Vote: Ayes – McAnally, Glotfelty, Butler, Zilka, Burcroff and Freitag. Abstain – Paul & Prybyla. Nays – None. Motion carried.
 5. Comments from Public on Non Agenda Items
 - James Lee, 34655 Lynn Drive gave an overview of the history of the honey bee and requested that the Planning Commission amend the City of Romulus Ordinance to allow the use of beekeeping within the City of Romulus.
 - Ms. Freitag stated to Mr. Lee that in order to request an amendment to the City of Romulus Ordinance he would have to make application to the City of Romulus City Council and pay the required fees involved. She continued by saying that the City of Romulus will be reviewing and possibly making amendments to the Ordinance in the near future with regards to animals. She finished by asking Mr. Lee if it was his intention to have beekeeping on his property.
 - Mr. Lee answered that it is his intention to have beekeeping for personal purposes on a hobbyist level.
 - Ms. Freitag stated that it would be her personal opinion that it would not be feasible to have the beekeeping in a subdivision.
 - Mr. Burcroff stated that City Council would have to adopt an ordinance to allow the beekeeping. Typically council takes feedback from other departments, council members and the sub-committee with regards to ordinance amendments that can better improve ordinances overall. He would not personally be excited about taking on an ordinance change for just specifically the beekeeping at this time due to the cost that would be incurred to the City of Romulus. As a councilperson he has to make sure that they can justify the cost to the city and that is why we try to group changes all at one time, which could take months to complete. He suggested to Mr. Lee that he stay in contact with Ms. Maise through the Planning Department and with the Ordinance Department and be in tune with that process as it moves forward.
 - Mr. Prybyla questioned whether Mr. Lee included any information with his proposal from the Department of Agriculture or Farm Bureau stating their recommendations.
 - Mr. Lee answered yes.
6. Public Hearings
 - A. PC-2013-001/002; HD Supply Outdoor Storage, requesting special land use and site plan approval for an outdoor storage area to be used for equipment supply storage on 2.0+- acres at

38000 Jay Kay Drive located at the south side of Van Born Road between Jay Kay Drive and Cogswell. Zoning: M2 – General Industrial District. (Action required: Hold a Public Hearing and make recommendation on Special Land Use to City Council and take action site plan.)

Chairperson Freitag opened the meeting for discussion and comments from the petitioner.

- Mr. Steve Sorenson, PEA, Inc. came forward and stated that the petitioner/property owner of 38000 Jay Kay Drive owns most of the property surrounding the proposed project and intends to lease the building and storage yard facility to HD Supply. HD Supply is a subsidiary of Home Depot and they will supply equipment primarily to DTE. Outdoor storage of supplies such as power poles and transformers is required and it is imperative that they have the outside storage or the deal may not take place.
- Mr. Sorenson noted that the storage area is approximately two (2) acres in size and contains millings that were placed there last summer without the knowledge of the City of Romulus. They have had multiple discussions with City staff and borings on site have been done to determine the depth of the millings. The geotech engineer determined that the millings are six (6) to ten (10) inches in depth over a clay sub-grade and are capable of handling typical traffic loading. The millings were well placed and the area was well graded as it drains into a grassy area and ultimately into a detention pond east of the proposed use.
- Mr. Sorenson noted that one of the comments per the ARC Committee was to combine the parcels and that is not the owner's intention at this time. The owner would like to develop the proposed parcel and he feels that combining it at this time would hinder that process in the future.
- Mr. Sorenson went on to say that he has worked with City staff on multiple issues including extending the berm along VanBorn Road and greening up the area as much as possible including adding a significant number of trees that should help with screening. There is a significant stockpile of material along the west side of the L-shaped portion of the millings area that provides very good screening. Through discussions with Marcus McNamara from OHM it was determined that it would not be feasible to berm the east side of the L-shaped portion of the millings as it would cause drainage issues. With regards to the existing berm along the west side of the L-shaped portion of the millings, it is not the owner's intent to provide additional landscaping since they feel that the stockpile provides adequate screening. Should the owner remove the berm (stockpile) in the future, it would then be his intent to provide additional landscaping at that time. In closing he stated that the petitioner has requested not to provide a masonry screen wall due to the cost and the fact that this parcel may be developed in the future. The petitioner has agreed to post a bond for the future sidewalk that will be required along Van Born Road if and when the proposed site is developed in the future.
- Ms. Freitag stated that she takes offense that the millings were installed without approval.

Let the record show an affidavit of first class mail has been shown and is on file.

Chairperson Freitag opened the meeting up to comments from the public and asked if anyone wished to speak on this matter. No one came forward.

Chairperson Freitag closed the public comments portion of the meeting and opened the meeting up to questions from the commissioners.

- Ms. Freitag questioned whether the petitioner intends to utilize the existing stock pile as a berm without any improvements to it.
- Mr. Sorenson answered that it acts as screening right now.

- Ms. Freitag stated that it looks like someone dumped and piled dirt there and now it is full of weeds and has branches sticking out of it.
- Mr. Sorenson replied that Ms. Freitag is probably right and that the stockpile has been there for some time.
- Ms. Freitag asked whether he intends to use the stockpile as screening without making any improvements to it whatsoever.
- Mr. Sorenson answered correct.
- Mr. Zilka stated that he does not agree with the stockpile being left as it is. Something needs to be done with it as it is not something that the residents along Cogswell Road would or should have to look at.
- Mr. Sorenson responded that it could be better.
- Mr. Zilka commented that something needs to be done with the stockpile and perhaps some additional landscaping could be provided so that it looks better for the adjoining residents. He does not believe that if you lived on Cogswell Road that you would want to look at that stockpile. He questioned what the future intent for that stockpile is.
- Mr. Sorenson answered that he would assume that in the future when the proposed site is developed the stockpile would be knocked down to bring the property up to grade. He does not know what the intention of the owner is other than the stockpile has been there long before he became involved with the property.
- Mr. Zilka questioned whether there are plans to do anything with the existing asphalt that is broken up and cracked at the rear of the building located at 38000 Jay Kay Drive.
- Mr. Sorenson replied that it is not included as part of this project.
- Mr. Zilka stated that he agrees with Ms. Freitag in that the City of Romulus needs to put a stop to petitioners doing improvements on their property without obtaining permits and coming before the Planning Commission for approval. While we encourage businesses to relocate to the City of Romulus, we also wish they would follow the ordinances.
- Mr. Sorenson responded that he has come before the Planning Commission many times in the past and soon as he became involved with this project and aware of what had been done, he came to the Planning Department to try and get this resolved in a timely manner.
- Mr. Zilka noted that he would personally like to see something done with the stockpile along with some additional landscaping so it looks nicer for the residents along Cogswell Road.
- Mr. Burcroff stated that the Planning Commission has to look at the impact of the outside storage on the surrounding area. He drove down Cogswell Road and the residents along the west side can see directly into the proposed site where the millings are located. He also drove down Van Born Road and he could not see anything from there and therefore he believes it would not serve any purpose to put a berm along there as it would work against the drainage issue. The berm is there and although it is not pretty, he commented that he would not want to hold the petitioner hostage over it. He questioned Mr. Sorenson as to what the plan was for the area to the far west of the property and what they intend to do to protect those residents on the west side of Cogswell.
- Ms. Maise noted that she has spoken with residents on the west side of Cogswell and she has verified that they have a view of the stockpile and the storage area.
- Mr. Sorenson stated that the petitioner could easily add additional landscaping to screen that area between the stockpile and the screening in question.
- Mr. Burcroff responded that the Planning Commission needs to protect the residents along Cogswell and he does not think a concrete wall is appropriate but some additional landscaping would be nice.
- Mr. Sorenson noted that the petitioner will be installing larger size trees that are between eight (8) to ten (10) feet tall and are of varying species.

- Mr. Burcroff stated that the Planning Commission is seeing more and more of the millings being utilized. A previous petitioner installed millings without approval and is utilizing them for truck turning and operating. He questioned whether the petitioner is strictly utilizing the millings for the outside storage.
- Mr. Sorenson answered that the main loading of the trucks will take place at the 38000 Jay Kay Drive building. The removal of any supplies from the outside storage area will be done utilizing a Hi-Lo.
- Mr. McAnally stated that one of the recommended conditions of approval is that the millings be removed and the property restored if the storage use ceases for twelve (12) months. He questioned Ms. Maise as to whether the removal of the millings and restoration of the property would be the responsibility of the property owner or the tenant.
- Ms. Maise replied that the condition was mentioned by Tim Keyes from the Economic Development Department. The responsibility falls to the property owner, however the owner could negotiate a deal as such with the tenant to determine who's responsible. The basis for the condition is the non-conforming section of the zoning ordinance which requires that uses that are discontinued for twelve (12) months lose their rights.
- Mr. Paul stated that the plans indicate numerous times that there will be no hazardous materials stored outside. He questioned Mr. Sorenson as to whether there would be any hazardous materials stored inside the building.
- Mr. Sorenson answered that he was not aware of any hazardous materials being stored inside.
- Ms. Maise replied that during ARC review, Mr. Wegienka from the Building Department had some concerns with regards to the age of the materials being stored since some of the older materials could contain some hazardous components. The Building Department requested that it be made a condition of approval that when the building permit application is made to the Building Department, additional information on these items will be required and they will make their determination then.
- Ms. Freitag commented that the use statement the Planning Commission received in their packet outlined all materials being stored inside.
- Mr. Paul questioned where any discharge from the pond would go.
- Mr. Sorenson responded that the existing topography drains to the pond.
- Mr. Paul asked where the pond drains to.
- Mr. Sorenson answered that the pond drains to a creek directly to the east and that the pond was installed as part of the site plan for 38000 Jay Kay Drive, which did not include the area for the outside storage. This is why the petitioner has agreed that should the millings cause a problem, he will have to do something to resolve it.
- Mr. Paul suggested that the one of the conditions of approval should require that the petitioner post a bond to insure the removal of the millings should the tenant vacate the premises for twelve (12) months. He stated that something needs to be done with the stockpile to make it look more presentable and he verified that the petitioner is not interested in combining the parcels at this time.
- Mr. Sorenson stated that was correct.
- Mr. Paul asked what type of fabric would be utilized for the fencing.
- Mr. Sorenson replied that the initial submittal did indicate fabric but at the request of the staff it was removed.
- Mr. Paul noted that the fabric deteriorates.
- Ms. Maise commented that the initial submittal indicated that slats would be utilized however page 3.1 of the latest submittal indicates fabric.
- Mr. Sorenson stated that the fence itself is a fabric.

- Mr. Paul questioned whether the fence itself is treated. He added that like everyone else he does not like the idea of utilizing the temporary millings, but if a bond is posted to insure the removal of the millings, he could support that. When he visited the site today, the water was running off the millings and under the fabric and something will need to be done to resolve that.
- Mr. Sorenson responded that additional restoration and vegetation will resolve that.
- Mr. Glotfelty stated that he was on site today and is not happy with the grading. He noticed the run-off and does not like the millings at all. He saw the compaction report in the packet but did not see a report from the Michigan Department of Environmental Quality. He noted that the millings break down and he does not want that going into the creek. He would like to see how they intend to resolve that.
- Mr. Sorenson answered that he will note to make sure that the silt fence is restored and additional vegetation is added.
- Mr. Glotfelty stated that the grading is very poor at best.
- Mr. Sorenson replied that he will make note of that also.
- Ms. Freitag asked Marcus McNamara from OHM to give some insight on the millings.
- Mr. Burcroff commented that this is an ongoing issue and we are going to see more companies utilizing the asphalt millings for such things as outside storage. He asked Mr. McNamara to address some of the Planning Commission's concerns such as posting a bond to ensure the removal of the millings, environmental impact, and the use of millings in general. He concluded by saying that the City of Romulus needs to be fair across the board and City too has also used millings for a couple of their road projects.
- Mr. McNamara, OHM, City Engineer stated that he is not aware of environmental concerns that are any different from what you would have with a paved parking lot. The millings, as long as they are properly graded, are more porous than a hot-mix asphalt and they do allow more infiltration. Several counties are revising their engineering standards to encourage the use of asphalt millings or granular surfaces in general to allow the first portion of rain to infiltrate, which is positive from an environmental standpoint. He is not aware of any concerns that you should have for the millings beyond a hot-mix asphalt.
- Mr. McNamara noted that for the millings that were installed without approval, the applicant has provided a structural analysis that is sufficient for the types of materials being stored and the type of vehicles that will be utilizing the millings. He agrees that additional grading and compaction would need to be done to get positive drainage.
- Mr. Burcroff stated that we are going to see more and more use of the millings. For this project, it was less intrusive than the previous project and he just wanted to verify that there is no more of an environmental concern with this material than there would be with a hot mix asphalt. He finished by saying that it is his understanding that this product would actually allow the rain to evaporate quicker.
- Mr. McNamara stated that if you have ever seen freshly laid asphalt it is black. As it ages with time the black fades to grey which is the oxidation of the oils. The newer asphalt actually has a much higher content of oils than the millings.
- Mr. Burcroff stated that with regards to the bond that Mr. Paul mentioned, if City Council approves the Special Land Use, he is not sure that they would want to have the millings removed.
- Mr. Paul replied that when he was on site today there was a black run-off into the drain and he believes it needs further compaction. With regards to the bond, he feels that should the tenant leave, the millings should not remain there unmaintained.
- Mr. Burcroff answered that he does not disagree that it needs further grading and compacting.
- Mr. Zilka commented that he does not think that a bond should be required for the millings. He worked for Wayne County for many years and utilized the millings for many different projects. He has even seen where they laid asphalt overtop of the millings on a roadway without any

problems. Over time they may need to be re-graded and re-compacted but he does not have a problem with using them. He does however have a problem with the fact that they were installed without approval or permits.

- Mr. Glotfelty stated that hopefully when the forklift runs out there it is not leaking. The oil leaks onto the millings and runs down into the environment. He prefers the use of a hard surface and a lot of communities that has worked with in the past do not allow them. The minute you try and plow the snow off them they fall apart. A lot of communities even in Wayne County do not allow them.
- Mr. Zilka replied that if you look at the parking lot adjacent to the millings where it is cracked in large sections, what would happen if oil leaked onto that.
- Mr. Glotfelty stated that you would have to repair it.
- Mr. Paul noted that the petitioner has done some patching at the rear of that building.
- Ms. Freitag questioned if the current tenant moved out and a new tenant moved in, would they be required to come to Planning Commission for Special Land Use approval.
- Ms. Maise answered that the Special Land Use, the storage yard, runs with the land.
- Ms. Maise stated that with regards to the landscaping and screening, the Planning Commission could treat this project as they did with the Lee Steel site plan, and condition it upon a site inspection being done prior to occupancy to determine if any additional landscaping or screening is needed.
- Mr. Burcroff replied that he likes that idea and his main concern is protecting the residents in that area.
- Ms. Maise asked for more direction as far as the stockpile is concerned.
- Mr. Sorenson stated that the petitioner is in agreement that a site inspection to determine whether additional landscaping and screening is required is appropriate.
- Ms. Maise suggested approving the site plan as is conditioned upon a site inspection to determine if additional landscaping and screening is required.
- Mr. Prybyla questioned whether Mr. Glotfelty was happy with the answer given with regards to the grading problem.
- Mr. Glotfelty stated that he agrees with Mr. Paul to require the petitioner to post a bond to insure the removal of the millings. He thinks it should be part of the conditions of approval.
- Mr. McAnally noted that the conditions of approval require that the millings be removed if it ceases to exist as a storage yard for twelve (12) months or longer. He finished by asking if we need to put a bond on it.
- Mr. Paul answered that it would insure that it is done properly as he has been through this before.
- Mr. McAnally commented that this is tied to the owner of the property.
- Mr. Paul stated no, however it is usually the owner that takes responsibility.
- Mr. Burcroff said that there is no doubt that the bond will lock it all in, but this petitioner owns several properties in that area and is not going anywhere. The City will have the leverage to go back and make sure it happens. He agrees that the millings need additional grading but feels that the bond will only penalize the tenant. He would be in agreement with making one of the conditions of approval that there be additional compacting and grading.
- Mr. Butler questioned Ms. Freitag as to whether the millings would be an attraction to any future business that may want to rent the proposed site, once the current tenant's lease is up.
- Ms. Freitag answered yes as long as that business met all the requirements of the zoning ordinance.
- Mr. Butler stated that he disagrees with the petitioner having to post a bond.
- Ms. Maise questioned the petitioner about the rear yard setback near the gate.
- Mr. Sorenson stated that it would be fixed to comply with requirements.

- Ms. Maise asked the Planning Commission for more direction as to what they would like to have done with the stockpile.
- Mr. Zilka responded that he would like to see additional grading to make the stockpile look more presentable.
- Mr. Sorenson stated that additional grading will be done to the stockpile when they increase the size of the berm along Van Born Road. He suggested that they do additional grading and seeding to the remainder of the stockpile to make sure that no additional erosion occurs.
- Mr. Zilka questioned Ms. Maise as to whether that sounded like a reasonable suggestion.
- Ms. Maise replied that it sounds very reasonable.
- Ms. Freitag stated that she agrees also.
- Mr. Burcroff suggested that it will protect the residents along Cogswell Road and it will prevent any further erosion. It will also make the property more attractive for future development.
- Mr. Butler noted that he does not believe that the direction to the City Planner with regards to the stockpile is specific enough.
- Ms. Freitag questioned as to what further direction Mr. Butler is looking for and if he has any further suggestions. She asked him if he had been to the site to see the stockpile.
- Mr. Butler answered yes and it seems like the direction is that the petitioner “is going to do something with it”.
- Mr. Sorenson replied that one of the conditions of approval is that the petitioner will re-seed the berm along Van Born Road once completed. He finished by saying that it could be changed to include that they also do the same with the stockpile once grading is completed.
- Ms. Freitag suggested that they utilize the dirt from the stockpile closest to the building, as it does not have any vegetation growing out of it.
- Mr. Sorenson said that for construction purposes they would normally utilize the dirt from the stockpile that is closest to the berm along Van Born Road but that he will make note and pass along her suggestion.
- Ms. Freitag questioned Mr. Butler as to whether that direction was specific enough.
- Mr. Butler nodded yes.
- Ms. Freitag questioned whether the Planning Commission had everything they needed.
- Ms. Maise stated that the recommendations would need to be tweaked a bit and asked what the Planning Commission had decided with regards to the removal of the millings. She asked whether it was their intention to completely remove condition number three (3) under Special Land Use recommendations or just not add the bond.
- Mr. Burcroff responded that it was his preference not to require a bond along with that condition.
- Ms. Maise noted that having that condition without requiring the bond would give the City a little leeway to work with the property owner with regards to any future development.
- Ms. Freitag took a quick poll of the Planning Commission as to whether they wanted the requirement for the bond and the consensus was no.
- Ms. Maise questioned whether the Planning Commission wanted to add the Lee Steel verbiage to recommendation number two with the regards to screening requirements.
- Ms. Freitag and Mr. Burcroff stated that it sounds good to them. Ms. Freitag questioned whether Mr. Sorenson had a problem with that.
- Mr. Sorenson stated that was fine.
- Ms. Freitag questioned Ms. Maise as to whether the stockpile direction was adequate.
- Ms. Maise stated that the revised site plan will be changed to include a note about the re-grading and re-seeding of the entire stockpile area.

Motion by Burcroff supported by Zilka to recommend to the Romulus City Council special land use approval for PC-2013-001; HD Supply Outdoor Storage at 38000 Jay Kay Drive based upon the finding that the proposed outdoor storage area is consistent with the Master Plan, compliant with the standards of the Zoning Ordinance, and compatible with adjacent land uses; the proposed use will not negatively impact the environment, traffic or public services. This approval is subject to the following:

1. Review and approval of the site plan by the Planning Commission;
2. A waiver to the screen wall requirement conditioned upon berming and dense evergreen landscaping along both the east and west sides of the storage area, consistent with the proposed greenbelt on Van Born Road if determined to be necessary for screening. The limits of the berming and planting shall be determined during a site inspection prior to issuance of a certificate of occupancy to verify that adequate screening has been provided and drainage has been accommodated.
3. A waiver to the hard surface pavement requirement conditioned upon comments of the City engineering consultant, DPW and Building Departments being addressed and the conditions that the surface be removed and the property restored if the storage use ceases for twelve (12) months; and
4. Review and approval by the Building Department of all items to be stored outdoors; the storage of any hazardous items is prohibited.

Roll Call Vote: Ayes – Burcroff, Zilka, McAnally, Butler, Prybyla & Freitag. Nays – Paul & Glotfelty. Motion Carried.

Motion by McAnally support by Burcroff to approve the site plan for PC-2013-002; HD Supply Outdoor Storage at 38000 Jay Kay Drive subject to:

1. Special land use approval by the City Council;
2. The Building Department be provided information on all items to be stored outdoors to determine whether such items are hazardous or not;
3. Payment in lieu of construction of the sidewalk along Van Born Road based on a cost estimate to be provided by the applicant and approved by the City engineer; a payment to the City's sidewalk fund must be provided to the Planning Department prior to issuance of a building permit; and
4. The submittal of eleven (11) sets of a revised site plan addressing the following:
 - a. The rear yard setback on the east side of the gate must be increased to 10 feet;
 - b. The cost estimate of the sidewalk along Van Born Road must be noted on the site plan;
 - c. Continuation of the berm and dense evergreen plantings along the east and west sides of the storage area as determined during a site inspection prior to occupancy;
 - d. Re-grading and re-seeding of the entire stockpile area;
 - e. Silt fencing and associated vegetation being installed to minimize negative impacts on drainage;
 - f. Additional grading and compacting of the millings; and
 - g. All comments from other departments and agencies must be noted and addressed on the site plan.

Roll Call Vote: Ayes – McAnally, Burcroff, Butler, Prybyla, Paul, Glotfelty, Zilka & Freitag. Nays – None. Motion Carried.

- B. PC-2013-005/006; Lee Steel/DTE Substation, requesting special land use and site plan approval for construction of a DTE Substation, telecommunications tower and revisions to the approved site plan on 1.42+-acres located on the north side of Eureka Road between Huron River Drive and Wahrman Road. Zoning: M2 – General Industrial District. (Action required: Hold a Public Hearing and make recommendation on Special Land Use to City Council and take action site plan.)

Chairperson Freitag opened the meeting for discussion and comments from the petitioner.

- Mr. Devan Anderson, Steven C. Flum, Inc. stated that he has reviewed the staff summary report and he finds it very well crafted and agrees with it completely. He noted that Lee Steel needs a DTE Substation due to its power requirements. The substation as proposed meets DTE's standards and will look exactly like every other DTE Substation. The substation is located on the west end of the property, behind the building so it is obstructed from view, and with the property being landlocked, no one will ever see it.
- Mr. Anderson continued by saying that Lee Steel is also adding an additional train spur and that two train rails are no different than having one. After talking with CSX, the third rail is needed to be able to maneuver the rail cars around on site. There will be no additional rail cars on site than originally planned. The third rail will just simply allow them to maneuver the cars as originally planned. The expanded parking lot is due to the fact that additional parking spots are needed for the overlap in shift changes. The truck waiting area has been relocated closer to the overhead doors so that the truck drivers can better interact with the shipping staff. The truck well and DTE substation have been located on land that was cut off from the wetlands and has already been remediated, abated and cleared and the wetland and woodland calculations remain unchanged. The parking that has been banked has been moved to another area, north of the building that has no wetlands or woodlands on it. All the items being requested this evening are simply a clarification of the approval that has been granted already, with the exception of the Special Land Use that is required for the DTE substation telecommunications tower. The three (3) waivers requested this evening, are all according to the DTE standards. He finished by saying that Lee Steel has been granted the two (2) variances requested from the Board of Zoning Appeals for signage and gates in the front yard setback. He requested that the Planning Commission waive the traffic study, which was a condition of the original approval of the site plan.

Let the record show an affidavit of first class mail has been shown and is on file.

Chairperson Freitag opened the meeting up to comments from the public and asked if anyone wished to speak on this matter. No one came forward.

Chairperson Freitag closed the public comments portion of the meeting and opened the meeting up to questions from the commissioners.

- Ms. Freitag verified that Mr. Anderson agrees with all the recommendations.
- Mr. Anderson stated yes.
- Ms. Maise noted that this is with the exception of the traffic study.
- Ms. Freitag questioned whether it was Mr. Anderson that previously told the Planning Commission that you would not be able to see this building from I-275.
- Mr. Anderson answered that it is very feasible that he may have said that and because it is an enormous building, you may be able to see parts of it from I-275.

- Mr. Burcroff thanked Mr. Anderson and Lee Steel for doing such a nice job. He stated that after referring back to his notes from May 14th, the Planning Commission did not request the traffic study and he does not think it is necessary. He noted that if more signage is required, he would be more than happy to help and if Lee Steel is successful than the City of Romulus is successful.
- Ms. Freitag stated that she agrees with Mr. Burcroff in that Lee Steel has been great to work with and that she believes that Mr. Anderson recommended the traffic study in his original submission.
- Ms. Maise responded that it was a misinterpretation from the original approval and that it inadvertently got carried over from one set of plans to these revised plans.
- Mr. McNamara stated that during the initial ARC Review the question was asked as to what impact would the rail have on Eureka Road. Lee Steel's answer was that they did not know yet due to the fact that CSX does not easily share information of this nature. Lee Steel requested the traffic study from CSX and has not received it as of yet. The City has asked Lee Steel to share that information with us when they receive it.
- Mr. Prybyla asked Mr. Anderson to explain again why the third rail is needed.
- Mr. Anderson answered that when you have loaded cars in the plant and loaded cars on the second rail spur, there is no way to get loaded cars out of the plant, and loaded cars off the spur and into the plant without the third rail. He finished by saying that one rail is always going to be empty, but needed in order to move cars out of the plant onto the third rail in order to move cars from the second rail into the plant.
- Mr. Prybyla stated that it is complex with a rail switch.
- Mr. Anderson answered right and that they always had the rail switch but only two spurs and no way to do anything with the second spur.
- Mr. Paul stated that the traffic was discussed previously and the Planning Commission saw no problem with it.
- Ms. Freitag questioned when Lee Steel plans on opening.
- Mr. Anderson stated they would be opening in two months.
- Ms. Freitag commented that the building looks very nice and will definitely be an asset to the City of Romulus.

Motion by Burcroff supported by Paul to recommend to the Romulus City Council special land use approval for PC-2013-005; Lee Steel/DTE Substation at 36320 Eureka based upon the finding that the proposed telecommunications tower is consistent with the Master Plan, compliant with the standards of the Zoning Ordinance, and compatible with adjacent land uses; the proposed use will not negatively impact the environment, traffic or public services. This approval is subject to review and approval of the site plan by the Planning Commission.

Roll Call Vote: Ayes – Burcroff, Paul, Glotfetly, Butler, McAnally, Zilka & Freitag. Nays – Prybyla. Motion Carried.

Motion by Zilka supported by Burcroff to approve the site plan for PC-2013-006; Lee Steel/DTE Substation at 36320 Eureka Road subject to:

A. Waivers for the following:

1. In accordance with *Section 13.02(u)(4)* a waiver to the screening requirement based on the interior location of the substation;
2. From *Section 12.15(e)(5)* a waiver to allow the use of chain link fencing around the substation; and
3. From *Section 13.03(c)(3)* a waiver allow the use of barbed wire fencing around the substation.

- B. The site plan shall also be subject to:
1. Special land use approval by the City Council;
 2. The development of any of the banked parking shall require administrative review and approval by the City prior to construction;
 3. Any repairs needed to the existing driveway will be made as determined by the Building and Safety Director;
 4. The submittal of eleven (11) sets of a revised site plan addressing the following:
 - a. All references to the original site plan must be updated.
 - b. The lot coverage calculation must be updated.
 - c. The number of parking spaces to be deferred and to be developed must be updated.
 - d. The DTE telecommunications tower must be identified under "Special Land Use and Variances" as a special land use.
 - e. The waiver request to allow the use of barbed wire on the chain link fence that will enclose the DTE substation must be indicated on Sheet SP-1.
 - f. A revised lighting plan is required.
 - g. Revised parking lot tree calculations must be included.
 - h. Dates of the previously granted variances must be added."

Roll Call Vote: Ayes – Zilka, Burcroff, McAnally, Butler, Glotfelty, Paul & Freitag. Nays – Prybyla. Motion Carried.

7. Old Business – None.

8. New Business- None.

9. PC Cases Involving Advice or Input from the Planning Commission – None.

10. Reports

A. Chairperson

- Ms. Freitag wished everyone a Happy Spring.

B. City Planner

- Ms. Maise stated that along with the projects listed on her Status Report we will also be getting an application in for a Jimmy John's that will be located on the old Denny's property on Middlebelt Road. She finished by saying that we will be having two Board of Zoning Appeals meeting in the month of April. The regular Board of Zoning Appeals meeting will be for Detroit Thermal and the Special Board of Zoning Appeals meeting the following day will be a request for a concrete crushing plant on the old DPW site.
- Mr. Zilka stated that he has seen some activity at the old gun shop at Huron River Drive and Northline and questioned whether Ms. Maise knew what was going in there.
- Ms. Maise answered that she is not aware of anyone occupying that particular building. She continued by saying that she has received several inquiries about this property and that it is an appealing property due to the residential residence above the commercial structure. She finished by saying that she will check with Mr. McCraight in the Building Department to see if he has received an application to reoccupy.

- Mr. Prybyla stated that it has had no maintenance in the last ten years and may need to be demolished.
- Ms. Freitag stated that she thought it was used as a Flea Market last summer.
- Mr. Glotfelty questioned what the status is of Subway located within the Shell Station on Eureka and I-275.
- Ms. Maise answered that they are finishing up with the site plan requirements.
- Mr. Glotfelty questioned whether Tim Horton's is still going forward with their project adjacent to the Shell Station.
- Ms. Maise stated she did not think so but that maybe someone else.

11. Reports of Interest Designation

- Mr. Burcroff reminded everyone of the upcoming events within the City of Romulus.

Easter Egg Hunt on March 30th that will be held at the Historical Park

Clean Sweep on Friday, May 17th

Senior Garden Planting and Cemetery Clean-Up on Saturday, May 18th

- Ms. Freitag thanked Mr. McNamara for coming this evening.
- Mr. McNamara stated that he is available whenever the Planning Commission may need him.
- Ms. Maise stated that they will be utilizing Mr. McNamara for the updates to the ordinance that they will be doing soon.

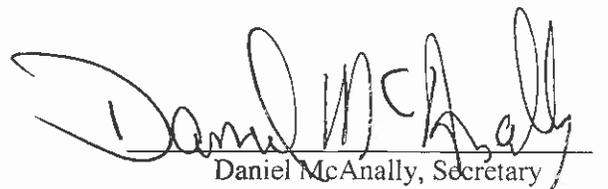
12. Communications

- Mr. Prybyla stated that the City of Romulus needs to start issuing a fine per acre for people who do work within the City of Romulus without pulling a permit or having city approval.
- Mr. Burcroff stated that the fine needs to be significant enough that it would act as a deterrent.
- Mr. Zilka stated that the City of Romulus needs to do a study on the use and effects of the millings.

13. Adjournment

Motion by Zilka supported by Prybyla to adjourn the meeting at 8:45 p.m. Roll Call Vote: Ayes –Zilka, Prybyla, Butler, Paul, Glotfelty, McAnally, Burcroff and Freitag. Nays – None. Motion Carried.

lm



Daniel McAnally, Secretary
City of Romulus Planning Commission

