

**VILLAGE OF GROSSE POINTE SHORES, A MICHIGAN CITY**  
**MINUTES OF PLANNING COMMISSION MEETING**  
**Tuesday, May 7, 2019**

A meeting of the Planning Commission of the Village of Grosse Pointe Shores, A Michigan City was held on Tuesday, May 7, 2019 in the first-floor Council Chambers of the Grosse Pointe Shores Municipal Building, 795 Lake Shore Road, Grosse Pointe Shores, Michigan. The meeting was called to order at 8:00 a.m.

Present: Chairperson Mary Matuja, Commissioners, Gary Mitchell, Pat Chasteen, Greg De Mars, Gary Gula, Pat McCarroll, Mayor Ted Kedzierski, City Manager Mark Wollenweber

Excused: Council Liaison Robert Gesell

Also Present: City Planning Consultant Don Wortman, City Attorney Brian Renaud, Tom Krolczyk, Council Member & Parks Committee Member Doug Kucyk, Council Member Matt Seely, Resident Ben Best, Engineering Consultants Jesse Van DeCreek and Eddie Zmich, Developer Richard Russell and Attorney William Gilbride

All items pertinent to this meeting are either attached or placed on file.

Motion by McCarroll seconded by Mitchell to excuse Council Liaison Robert Gesell approved 7-0, Mayor Kedzierski abstained.

APPROVAL OF MINUTES: March 26, 2019 regular meeting, on motion by Commissioner Mitchell and seconded by Commissioner DeMars, the minutes approved 7-0, Mayor Kedzierski abstained.

PLAN REVIEWS, VARIANCE REQUESTS AND HEARINGS –

Preliminary Plat Approval-Final, Deeplands Development-55 S. Deeplands Rd.

Petitioner's Attorney William Gilbride gave an overview of the project and how it has progressed to this point and indicated that they were in substantial compliance. He asked the Planning Commission to recommend approval to City Council of the Preliminary Plat -Final.

Planning Consultant Don Wortman went over his review and the steps including zoning compliance. One of the concerns is about the trees on the east side of the property because of the limited space between the storm water retention system and the east property line. When discussed, Rich Russell stated he will replace the trees with acceptable fencing and/or hedges. Wortman also suggested a site walk through to include Village staff and the applicant. He also stated that the subdivision utilities are not shown on the drawing, but he concluded that those would be supplied to the Village prior to construction. Wortman also discussed deed restrictions concerning the retention system and maintenance plan.

DeMars asked if the platting of the property was complete with Wayne County. Russell stated that he needs the Preliminary Plat Approval-Final before submitting to the County. DeMars also asked about the ongoing lawsuit with the surrounding neighbors. Gilbride stated that the case was dismissed and the pending appeal is scheduled for oral arguments on June 4, 2019. He stated that there was no request for a stay of proceedings made to the Court of Appeals. He further stated that the Court of Appeals had no legal authority to enjoin the development, given the limited jurisdiction of the Court of Appeals, and that if the neighbors were to prevail at the Court of Appeals, the developer could be liable for monetary damages, only. He stated that the City is not a party to the lawsuit and should not be adversely affected by a decision of the Court of Appeals. McCarroll asked about the tree

replacement, which would result in 110 less trees from the original inventory. Russell stated that more trees will be added during construction by the individual homeowners with approved landscape plans.

Mayor Kedzierski asked who would be responsible for filing Form 1128 for tax purposes. Mr. Renaud stated he would look into it. Mitchell asked if permission is needed from Shelden Rd. residents to construct a six foot fence along the proposed Deeplands properties that back up to Shelden Rd. Renaud responded by stating that the rear yard fences can go up to six feet tall with neighboring sign-off.

Jesse Van DeCreek discussed the HRC review which included minor working prints and details from Deeplands Development Co. and also touched on the retention systems capacities and the ability to handle a 100 year storm. He also stated that the property owners should be required to inspect the retention system on a regular basis and report the results to the City, and that the City might also have the retention system inspected from time to time. The deed restrictions might include an annual maintenance agreement by the sub-division. Overall HRC recommends approval for the Preliminary Plat-Final.

Ben Best of 50 Fordcroft stated that some fences were already installed at six feet and it should not be a problem obtaining signatures. He also stated that it is great to see young families interested in living in this new sub-division. He also inquired as to which lots would be built on first and if grade issues were addressed. Russell stated that the homes will be built as the lots are purchased and not in any certain order. Gula explained how the engineering grades between neighbors should be handled and that there accordingly, should not be any flooding due to grade issues.

McCarroll moved to approve the Preliminary Plat-Final based on the HRC and Carlisle Wortman reviews and comments made, including deed restrictions satisfactory to the City with respect to the storm water detention area; seconded by Mitchell, approved 7-0, Mayor Kedzierski abstained.

#### COMMUNICATIONS –

Wollenweber fielded questions from the Commissioners regarding future GPYC construction and updated them on the Edsel and Eleanor Ford project.

OLD BUSINESS – None

NEW BUSINESS – None

NEXT MEETING DATE- TUESDAY, MAY 28, 2019 AT 8:00 A.M.

ADJOURNMENT-There being no further business, the meeting was adjourned at 8:46 a.m. on motion by Commissioner Mitchell and seconded by Commissioner McCarroll. Unanimously approved 7-0.

Planning Secretary  
Planning Commission