

CITY OF PONTIAC

PLANNING COMMISSION

TUESDAY, AUGUST 30, 2016

6:00 P.M.

Special Meeting before the Planning Commission, at
47450 Woodward Avenue, 2nd Floor, Council Chambers,
Pontiac, Michigan 48342.

BOARD COMMISSIONERS:

Dayne Thomas, Chairman
Ashley Fegley, Vice Chair
Mayor Deirdre Waterman, Commissioner
Mona Parlove, Commissioner
Hazel Cadd, Commissioner
Christopher Northcross, Commissioner
Lucy Payne, Commissioner

CITY OFFICIALS PRESENT:

C. James Sabo, Professional Planner
Derek Dowdell, Assistant Planner
Jane Bais-DiSessa, Deputy Mayor

MEMBERS OF THE PUBLIC ADDRESSING THE PLANNING COMMISSION:

Konstantinos (Kosta) Marselis
Vasilios Baros
John Wood
George Derderian
Councilman Kermit Williams
Pastor Wardell Milton
Chuck Johnson
Diane Hunter

MINUTES RECORDED BY:

Quentina R. Snowden, (CSR-5519)
Certified Shorthand Reporter

1. CALL TO ORDER:

Chairman Thomas called meeting to order at
6:00 p.m.

2. ROLL CALL:

PRESENT: Dayne Thomas, Chairman
Ashley Fegley, Vice Chair
Mayor Deirdre Waterman, Commissioner
Mona Parlove, Commissioner
Christopher Northcross, Commissioner
Lucy Payne, Commissioner

EXCUSED: Hazel Cadd, Commissioner

Mr. Sabo reported a quorum is present.

3. COMMUNICATIONS:

Mr. Sabo reported there are none.

4. MINUTES FOR REVIEW: None.

5. PUBLIC HEARINGS AND SITE PLAN REVIEWS:

5.1 PF-16-78 (PUBLIC HEARING) Site Plan Review -
Special Exception Permit - Recycling Plant and Metal
Scrap Processing, Outdoor Storage Yard (Major)
500 S. Boulevard E.
Property is located at the southeast corner of South
Boulevard and Martin Luther King Jr. Boulevard
Rivore Metals

(Presentation of facts given by Mr. Sabo.)

Chairman Thomas invited the Applicant to address the
Planning Commission.

Mr. Konstantinos Marselis, 1289 Creek Pointe,
Rochester, Michigan, indicated they are a brokerage
firm. They broker material into foundries throughout
the U.S. and Canada.

He indicated they will be processing mostly copper
wire indoors through a granulated process and
nonferrous materials. He further indicated that no
materials will be stored outside, that the storage
occurs inside. The materials will all be unloaded
and processed inside the building. The only items

stored outside are bins which will be below sightlines and will be temporary only for loading onto trucks.

Commissioner Northcross inquired as to how long the applicant has owned the property.

The applicant indicated they do not own the property at this time, but have a purchase agreement in place, and are just awaiting approval for their operation from the City.

Commissioner Northcross expressed a concern with regard to the use of the term "heavy recycling and scrap metals."

Mr. Sabo clarified that this is the classification of the process according to the Zoning Ordinance, but that the purpose of the operation is nonferrous and copper processing.

The applicant commented that their process is not like other companies they may see around the City; that there will be no materials piling up outside of the building.

Commissioner Northcross inquired as to the type of processing that will occur.

The applicant explained it is basically a bailing process, taking material that is going to come in, for example, aluminum and they are going to compact it with the compactor inside the building into a four-by-four cube. Also, they are going to take mostly copper wire in a form that still has insulation on it and they are going to run it through the shredder.

Commissioner Northcross inquired as to the phases.

The applicant indicated they have approval from their lenders to complete Phase 1 which includes removal of the dirt berm, the contractor, the landscaping, and providing the decorative wall on the Martin Luther King side.

Commissioner Northcross indicated he would like to codify the intent of the operation as close as possible.

Commissioner Northcross and Mayor Waterman discussed how this area is known as the Diamond Corridor, and their

concerns for bringing this type of operation into that area. Mayor Waterman expressed that they need to find a way to ensure that this operation will be handled in such a way that is tantamount to that area.

Mr. Sabo responded that this is a Special Exception Use, so the Planning Commission has the ability, through its discretionary authority, to attach conditions to this use, and if the Planning Commission wants to narrow down the type of operation and the type of recycling operations to include only nonferrous, which would be the type of operations that they're proposing, they can certainly do so.

Commission Northcross inquired as to whether there will be any cutting or processing of, for instance, catalytic converters.

The applicant explained they have an operation in Detroit that handles those kinds of processes.

Mayor Waterman spoke about the current owner of the location and how they are out of compliance with their site plan. She spoke of her tour of Green Works, which is an ancillary facility that helps to do the recycling and other kinds of materials, as well to ship them out; and that it is a training facility for jobs, including non-skilled jobs and welding.

Commissioner Parlove inquired of the applicant as to whether the company is Canadian and American.

The applicant responded they do have a Canadian division.

Commissioner Parlove also expressed her concerns about the type of material being processed and concern about preserving the Diamond Corridor. She inquired as to the timeline to begin Phase 1.

The applicant responded they would like to start as soon as possible, and that it would take approximately 90 days to remove the dirt berm and erect the pre-cast decorative wall.

Commissioner Parlove inquired as to the possible joint ventures on the site.

The applicant indicated that they are looking at offering training and welding classes. He further

indicated that they are hoping to move the company headquarters from Troy to the same location in Pontiac.

Commissioner Parlove inquired as to the type of trucks coming in and out of the site.

The applicant responded that the trucks would be drive-ins, flatbeds and roll-offs. He indicated the drive-ins are enclosed and the flatbeds are tarped.

Commissioner Parlove inquired as to the hours of operations.

The applicant responded that they are anticipating Monday through Friday 7 a.m. to 5 p.m., occasionally on Saturdays.

Commissioner Parlove inquired as to the timeline to complete Phases 1 through 3.

The applicant responded 5 years total.

Commissioner Payne inquired as to the ingress/egress of the trucks and how that might impact traffic flow.

The applicant explained that the gates would be located further inside the property so as to eliminate a build-up of trucks trying to enter the site. There will be a buzzer system in place.

Commissioner Payne expressed her concern over the noise impact in the area.

The applicant responded that the noise level is low.

Vice Chair Fegley inquired as to whether the trucks will be unloaded within the building.

The applicant responded affirmatively.

Vice Chair Fegley asked for clarification regarding the time trucks would start entering the property.

The applicant responded they typically don't start arriving until 8 a.m. That a few employees will begin at 7 a.m., but the rest of them would arrive at 8 a.m.

Chairman Thomas spoke about the history of the area.

Vasilios Baros, Architect, 1508 Oakcrest, Troy, Michigan spoke as to the noise levels of the operation, and Phases 2 and 3, that there will be insulation to help muffle the noise.

Chairman Thomas inquired further as to the hours of operation.

The applicant indicated Saturdays would be from 8 a.m. to 2 p.m. or 8 a.m. to 1 p.m.

Chairman Thomas invited the public to speak on this issue.

George Derderian, owner of Ultimate Soccer, 867 S. Boulevard, Pontiac, Michigan. He expressed his frustration with the current owner of the property, and stated he is ecstatic to hear about the applicant's plans for cleaning up this site. He stated from a safety point of view, he believes the fence should be erected immediately.

Councilman Kermit Williams, 365 S. Edith, Pontiac, Michigan. The Councilman indicated he met with Mr. Marselis. He indicated he hopes the Planning Commission would take time to get the site plan as exact as possible.

Pastor Wardell Milton, 471 S. Boulevard, Pontiac, Michigan. Pastor Milton expressed his concern over the noise levels while they are trying to worship on Sundays. He further expressed his concern with garbage being placed on their property. He expressed concern of the trains backing up traffic as they are loading materials.

Chuck Johnson discussed his history of being a business owner on South Boulevard. He indicated he spoke with the applicant and believes he's sincere in his intentions to improve this property and to develop it into a very useable space.

Diane Hunter, 436 Irwin, Pontiac, Michigan. She expressed her concerns are the noise, traffic and storage of the materials. She stated she wants to make sure that they stick to the operating hours as indicated. She stated currently she can't even open her windows because of all the dust that is currently created at the site.

John Wood, Engineering Consultant, 14181 Osner Drive, Grand Haven, Michigan. He indicated it will be up to the railroads on how they build the siding.

Mr. Sabo addressed Ms. Hunter's concern regarding the zoning, indicating the property is zoned for what the operation plans on doing.

The applicant indicated that as far as the dust, that's going to be eliminated when the berm goes up and grass starts growing.

Mr. Sabo indicated that conditions could be placed on the applicant as far as hours of operation, trucks being unloaded inside the building, whether materials could be stored outside, insulation applied to the insides of the building to reduce noise, no trucks accessing before 7 a.m. or after 7 p.m. and limiting the hours on Saturdays.

Vice Chair Fegley expressed a concern over possible incinerators in the future.

Mr. Sabo indicated no incinerators would be allowed.

The applicant indicated the only outside storage would be the roll-offs and that they would only remain for 2 to 3 days until they were swapped out, and that there would not be any piles of materials on the outside of the building. He indicated the bins on the outside would be empty and filled inside the building. He stated they have some wire bins, but they will be eventually eliminating those and going to a solid four-by-four bin.

Commissioner Parlove inquired as to the razor wire which is shown on the rendering.

Mr. Wood indicated that could be taken out if not permitted.

The applicant indicated he needs something for security purposes.

Mr. Sabo indicated there is no restriction on barbed wire for industrial districts M1 and M2.

Commissioner Payne suggested that perhaps there could be water spraying when they are moving the dirt berm.

The applicant indicated that he will make sure the

contractor does that.
Mayor Waterman thanked Mr. Derderian for bringing the photographs reflecting the current conditions at the property.

(Motion was made by Mayor Waterman.)

Motion to approve site plan review special exception permit for PF-16-78, 500 S. Boulevard, NAICS Code 42193022, 42193025, 4219302, that includes nonferrous materials, stainless steel and precious metals, based on special exception permit standards from 6.303 and subject to compliance conditions below:

1. Compliance with Section 23.13(b) Dimensional Standards for side setback street and interior standards.
2. Compliance with Section 2.313(b) dimensional standards for rear setback standards.
3. Compliance with Section 4.405 Screen Requirements Buffering for screen wall or obscuring fence 8 feet height required.
4. Compliance with Section 4.407 Street Trees in the right-of-way, 60 trees required.
5. Approval by the Planning Commission and Compliance with Section 43.03 Parking Uses Not Listed for Wholesale and Distribution and Office Uses, 66 spaces required.
6. A mitigation plan for dust control, noise control, and odor control prior to issuance of any building permits.
7. Compliance with all State and Federal environment regulations related to recyclable material and scrap processing NAICS Code 421930
8. Compliance with City Engineering requirements: All building walls and structures at r.o.w. line must be removed. Estimated truck traffic volumes should be provided to engineering. A valid queue for truck traffic must be provided. Any damaged sidewalk must be replaced. All other City of Pontiac engineering standards and policies should be

met.

9. Compliance with City Fire Department requirements: Must have 24-hour access knock keys, motorized gate, lock pad for manual gates. Any outdoor storage areas must be within 400 feet of a hydrant.
10. Compliance with all BOCA codes, Engineering standards, Fire codes, and City permitting requirements.
11. Compliance with all Pontiac Business Licensing requirements.

Additional conditions include:

- (a) No trucks to access the site between 7:00 p.m. and 7:00 a.m. Hours of operation 7:00 a.m. to 5:00 p.m. (Monday through Friday.) Saturday hours limited to 8:00 a.m. to 2:00 p.m.
- (b) Trucks loaded and unloaded inside enclosed building only.
- (c) Nonferrous metals only.
- (d) No metals or materials stored outside. Storage bins and containers only outside.
- (e) Insulation applied to the inside of buildings for noise control.
- (f) Maximum decibel level 80 decibels at the property line.
- (g) No incinerator at the site.
- (h) No storage bins above the fence line or visible from the street.
- (i) Eight-foot barbed fence permitted.
- (j) The foundation at 400 South Boulevard to remain six inches below grade.

Seconded by Vice Chair Fegley.

AYES: Thomas, Waterman, Fegley,
Northcross, Parlove, Payne
NAYS: (None.)
ABSTAIN: (None.)

MOTION CARRIES 6-0-0

6. NEW BUSINESS: None.

7. UNFINISHED BUSINESS: None.

8. OTHER ITEMS: None.

9. PUBLIC COMMENTS: None.

Commissioner Northcross made a motion for adjournment.
(All eyes to adjourn.)

10. ADJOURNMENT: 7:44 p.m.

Minutes certified by:



/s/ Quentina Rochelle Snowden, CSR-5519
QRS Court Reporting, LLC
800.308.0068