ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, MAY 15, 2007
7 p.m.

ROLL CALL

PRESENT:	Mayor	Harold Haugh
	Board Members	Salvatore Aiuto John Chirkun Jan Haggerty Bill Shoemaker Richard Steenland Robert Taylor
ABSENT:		None
OTHERS PRESENT:	City Manager	Stephen Truman
	City Clerk	Rae Oldaugh
	City Attorney	Tim Tomlinson
	Director of Building and Inspection	Glenn Sexton

Mayor Harold Haugh called the meeting to order at 7 p.m. with the Pledge of Allegiance.

Mayor Haugh stated that Board Member John Chirkun will be late arriving to the meeting.

I. ROUTINE MATTERS

- Approval of minutes of meeting held May 1, 2007

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER ROBERT TAYLOR seconded to approve minutes of meeting held May 1, 2007.
MOTION CARRIED UNANIMOUSLY

II. OLD BUSINESS

- Public Hearing and Board consideration for appeal of the interpretation and not an amendment of Ordinance 1202 Section 1400, as it relates to permitted uses in an I-1 (Light Industrial) district pertaining to the proposed use of conversion of residual substances into bio-mass fuel on the property at 30751 Little Mack, CLC Trucking, Inc, Bio-diesel Fuel Blender, George Lampson, petitioner.

Patrick Maher, Community Planning and Management, 41560 Garfield, Suite 230, appeared on behalf of petitioners, George Lampson and Ed Cornillie.

George Lampson, 34687 Groesbeck, Clinton Township, appeared.

Glenn Sexton, Director of Building and Inspection, stated that he has spoken with Fire Chief Ben Fornato, Fire Marshall Craig Robertson, Peter Locke of the Macomb County Emergency Management Division. The Material Safety Data Sheets (MSDS) on the material were reviewed along with all of the material supplied by the petitioner and the Fire Department is comfortable with the process and products used and their ability to respond to any situation that may arise on the proposed site.

City Manager Stephen Truman explained that he spoke with the Economic Development Director in Ontario, Canada regarding a similar project in that area. The Director was positive regarding the project and he didn't feel that the proposed project would have any adverse effects beyond the property lines or other zoning districts. Mr. Truman felt he found nothing negative in regards to the zoning and environmental issues that would prevent the Board from looking favorably on this request.

Board Member Taylor asked for assurances from Mr. Sexton that the Fire Department has the proper equipment to respond to an emergency on this site; Mr. Sexton replied that the Fire Department does have the proper equipment to respond to an emergency at this site.

Mr. Truman explained that the proposed building will have a dry suppression system included in the proposed building to aid in fire safety.

Board Member Jan Haggerty asked Mr. Maher about the level of education required of prospective employees; Mr. Lampson explained that for the initial operation a scientist and chemist will be employed for at least three months. After the first three months, engineers will be employed in the plant. Mr. Lampson further explained that Roseville High School and Macomb Community College have been contacted to help train students for future employment in this facility.

Board Member Richard Steenland asked City Attorney Tim Tomlinson for advice regarding stipulations on this request; Mr. Tomlinson read into the record what should be listed in the motion for this request.

James Goldwater, 19346 Brandt, spoke in favor of this request and mentioned possible tax incentives for this business.

Terry Mergenthaler, 25801 Wiseman, stated he thought this was a good investment in the City; however, he was concerned with environmental issues.

City Clerk Rae Oldaugh received no correspondence on this request.

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER SALVATORE AIUTO seconded to close the public hearing.
MOTION CARRIED UNANIMOUSLY

Board Member Salvatore Aiuto stated that he has spoken with the owner of J.C. Cornille regarding a few concerns he had; Mr. Aiuto is satisfied with the information he was provided.

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER SALVATORE AIUTO seconded to approve the petitioner's request for appeal of the interpretation and not an amendment of Ordinance 1202 Section 1400, as it relates to permitted uses in an I-1 (Light Industrial) district pertaining to the proposed use of conversion of residual substances into bio-mass fuel on the property at 30751 Little Mack, as presented, is a permitted use in the I-1(Light Industrial District) subject to following conditions presented in the correspondence from CLC Trucking, Inc. dated May 7, 2007:

Plant Hours:	7 a.m. to 3 p.m. 1st shift (days) 3 p.m. to 11 p.m. 2nd shift (afternoon) 11 p.m. to 7 a.m. 3rd shift (midnights)
Truck delivery:	7 a.m. to 7 p.m. DOT Regulations
Truck receiving:	7 a.m. to 5 p.m. followed as required
Truck disposal out:	6 a.m. to 4 p.m. tarp, securement, etc.
Outside storage:	None. There will be no outside open-air storage of materials.
Sound levels:	To be monitored and any adjustment made as required so no noises or sounds are above acceptable levels per City Ordinance.
Odor levels:	To be monitored and any adjustments made as required so no odors or smells will affect surrounding property owners.

Emissions:	To be monitored and any adjustments made as required so there are no emissions and that air quality standards are met as required by local EPA and Michigan Department of Environmental Quality (MDEQ).
Water discharge:	Will obtain permits as required by Macomb County, Wayne County, State and local agencies
Input Materials:	Auto fluff, plastic, rubber, composite and fiber materials, plastic materials that are processed by metal recyclers and are not metal, wood pallets that are to be processed through shredding or granulating as required for processing, used cooking oil (restaurant grease-yellow), used motor oil (or used oil-based hydrocarbon products). Any changes will be submitted to the Roseville Building or Engineering Department for approval.
Prohibited Input Materials:	PCB oils, wholesale truck or auto tires, agricultural waste, animal waste, animal byproducts, spoiled food, spoiled vegetables, meat waste, hospital waste or radioactive material. The petitioner agrees that any approved feed stock input items that after approval become problematic or issues due to complaints not limited to smell, noise, or hazards, the items will be eliminated from the allowed items. The petitioner will add or subtract feed stock items and amounts as required to be in compliance with City, Local, State and Federal rules and regulations.
Water Disposal:	Approximately 20% by volume.
Waste Disposal products:	Waste as a sand or dirt-like substance, unreacted auto fluff, inert salts, unreacted catalyst, lime catalyst crystals, metal impurities and residuals. These will be removed in 40 ton/40 cubic yard outbound loads of waste disposal. If there is metal content to justify recycling, it will be processed further at Strong Steel Products. The waste will be disposed of at Waste Management landfill or Pinetree Acres in Lenox Township, MI and transported by CLC Trucking.

The petitioner's site plan must be reviewed by the Planning Commission.
MOTION CARRIED UNANIMOUSLY

III. NEW BUSINESS

- Public Hearing and Board consideration for variance to keep 524.52 square feet of signage on the west elevation (Gratiot Avenue Frontage) and 322.31 square feet of signage on the east elevation (rear of building) totaling 846.73 square feet of signage on the property at 29410 Gratiot Apollo Lanes, Landmark Group, Phil Venables, petitioner.

Phil Venables, 29410 Gratiot, appeared.

Edward Shin, President Landmark Group, 130 E. Liberty, Plymouth MI, 48170, presented the petitioner's request to the Board.

Board Member Richard Steenland asked Mr. Shin if anything further will be added to what is affixed to the building; Mr. Shin replied that nothing further will be added. Mr. Steenland asked City Attorney Tim Tomlinson if this request is approved, will the petitioner be in violation of the ordinance if any further verbage or signage is added to the building. Mr. Tomlinson stated that if this request is approved the board should approve precisely what is presented with no deviations. The petitioner must appear before the Board for any future changes to the signage.

Director of Building and Inspection Glenn Sexton asked Mr. Shin if any changes will be made to the mural on the building; Mr. Shin referred this question to the owner of the building.

Jerry Izzi, 38315 Hidden Lane, Clinton Twp, owner of Apollo Lanes, stated that no changes will be made to the mural on either side of the building.

Board Member Robert Taylor asked Mr. Shin why the petitioner did not appear before the Board prior to starting the project. Mr. Shin explained that there is a difference between his company's definition of signage and the City's interpretation of what they consider signage.

City Manager Stephen Truman clarified to the Board that the permit for this project was issued for the original plan submitted to the Building Department; however, what was placed on the building is different from what was originally approved.

James Goldwater, 19346 Brandt, spoke in favor of this request.

Edward Stross, 28305 Gratiot, complimented the owner of Apollo Lanes and the sign company who created the design and stated that the building looks great.

City Clerk Rae Oldaugh received no correspondence on this request.

BOARD MEMBER RICHARD STEENLAND moved, BOARD JOHN CHIRKUN seconded to close the public hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER ROBERT TAYLOR seconded to adopt the resolution to approve the petitioner's request for a variance based upon the finding that a unique circumstance exists. The petitioner would incur considerable expense in removing the signage and similar requests have been approved at like businesses.

The following stipulation was placed on this request:

The square footage shall not change from the request approved by the Board.

REQUEST PERMISSION TO KEEP 524.52 SQUARE FEET OF SIGNAGE ON THE WEST ELEVATION (GRATIOT AVENUE FRONTAGE) AND 322.21 SQUARE FEET OF SIGNAGE ON THE EAST ELEVATION (REAR OF BUILDING) TOTALING 846.73

SQUARE FEET OF SIGNAGE ON THE PROPERTY AT 29410 GRATIOT, ROSEVILLE, MICHIGAN, 48066

PERMANENT PARCEL NO. 14-09-354-044 VAR. #1207

will be in harmony with the general purpose and intent of Sign Ordinance No. 1064 Section 264-5-B-4(b) and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and is herby granted
MOTION CARRIED UNANIMOUSLY

IV. HEARING OF THE PUBLIC

No one from the public wished to be heard.

V. ADJOURNMENT

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER ROBERT TAYLOR seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:43 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
Rae A. Oldaugh
City Clerk

PLEASE NOTE: A cassette tape of this meeting is on file in the City Clerk's Office for further information.