

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
December 12, 2018
MINUTES**

Chairperson Thompson called the meeting to order at 7:31 p.m.

ROLL CALL:

Present: Franzoi, Jahr, Boynton, Kelley, Atchinson, Budd and Thompson.

Excused: None.

Staff: Director Akers, Planning Intern Stamper and Secretary Harman.

Planning Representatives: None.

Audience: Three (3).

ELECTION OF OFFICERS:

Motion Budd, Atchinson second to keep the same officers in place, nominating Carol Thompson as Chairperson, Donald Boynton as Vice-Chairperson, Bryon Kelley as Secretary and Board of Zoning Appeals member with Donald Boynton as the alternate Board of Zoning Appeals member. Motion Carried.

Motion Budd/Franzoi second to close and accept. Motion Carried.

APPROVAL OF AGENDA:

Motion Boynton, Jahr second to approve the agenda of December 12, 2018 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Jahr, Boynton second to approve the regular meeting minutes of November 14, 2018 as presented. Motion Carried.

NEW BUSINESS:

ITEM # 1 **16-046 – TEMPORARY LAND USE**

TITLE: **THE APPLICANT, RICARDO INC., IS REQUESTING TEMPORARY LAND USE APPROVAL TO OPERATE A MOBILE REFUELING STATION AT 40000 RICARDO DRIVE, VAN BUREN TOWNSHIP, MI 48111.**

LOCATION: **PARCEL NUMBER V-125-83-047-99-0007-702 (40000 RICARDO DRIVE). THIS PROPERTY IS LOCATED ON RICARDO DRIVE, WHICH IS ON THE EAST SIDE OF HAGGERTY ROAD, NORTH OF TYLER ROAD.**

Bob Neighbors of Ricardo Inc. gave the presentation. The applicant previously requested temporary land use to operate a mobile refueling station at this location, there are no changes from the previous request and safety measures are in place. The pumps are monitored, if a malfunction occurs they will shut down immediately.

Planning Intern Stamper presented her review letter dated 12-4-18 recommending approval of Ricardo Inc.'s temporary land use permit for a Mobile Hydrogen Refueling Unit for fuel cell vehicles from December 2018 – April 2019 subject to the following condition:

1. Compliance with the conditions set forth in the 12-5-18 Fire Department review letter.

Director Akers presented the Fire Department review letter dated 12-5-18 recommending approval. The project is the same as previously submitted with no changes and all requirements met. Director Akers provided the applicant with a copy of the fire department review letter to keep in compliance with the conditions set forth in the letter.

No questions from the Commission or the audience.

Motion Kelley, Boynton second to grant temporary land use approval to Ricardo Inc. to operate a mobile refueling station at 40000 Ricardo Drive, based on the analysis and subject to the conditions in the staff review letter dated 12-4-18 and the fire department review letter dated 12-5-18. Motion Carried. (Letters Attached)

ITEM # 2 2019 MEETING SCHEDULE

Director Akers presented the 2019 Planning Commission meeting schedule. Meetings are on the 2nd and 4th Wednesdays of the month at 7:30 p.m. in the Board Room. The months of November and December will have only meetings on the 2nd Wednesday of the month.

Motion Boynton, Franzoi second to approve the 2019 Planning Commission meeting schedule. Motion Carried.

ADJOURNMENT:

Motion Kelley, Boynton second to adjourn at 7:46 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

David C. McNally II
Fire Marshal
O: 734-699-8900 ext 9416

Van Buren Fire Department
46425 Tyler Rd
Belleville, MI 48111



12-5-2018

Department Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: Temporary land use permit
40000 Ricardo Dr

18-037

To whom it may concern:

I have reviewed a plan for temporary use permit for the Air Products Mobile On-Site Hydrogen fueler trailer submitted to my office. This project was explained to be the same as previously and with no changes and all requirements met, project is approved.

Project Overview:

The refueling unit is requested temporarily to refuel the vehicles during testing period.

NFPA 2 and NFPA 55

1. Dispensing facilities shall be certified as meeting the requirements of this code by qualified engineer with expertise and competence in the design, fabrication and construction of the hydrogen containers, piping systems, site fire protection, gaseous detection, emergency shutdown provisions, isolation, drainage, site spacing, fire protection equipment, operating procedures, worker protection and other components of the facility.
NFPA 2 10.2.1.1
2. A hazard analysis shall be conducted on the hydrogen fueling system installation by a qualified engineer with proven expertise in hydrogen fueling systems, installations and hazard analysis techniques.
NFPA 2 10.2.1.2
3. Hydrogen dispensing systems shall be leak tested after final installation to prove them free from leaks at a pressure equal to at least the normal service pressure of that portion of the system.

Our Mission: The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.

- 4. System maintenance shall be performed as required by manufactures instructions. **NFPA 2 10.3.1.10.1**
- 5. Dispensing equipment shall be provided with hydrogen gas detection, leak detection, and flame detection at the fueling area. **NFPA 2 10.3.1.11**
- 6. **Notification of unauthorized release.** The fire department shall be notified immediately or in accordance with approved emergency procedures when an unauthorized release becomes reportable understate, federal, or local regulations. **NFPA 2 10.3.1.18.1**
- 7. Personnel shall be trained in the hazards of the materials employed and actions required by the emergency plan. The level of training to be conducted shall be consistent with the responsibilities of the persons to be trained in accordance with 4.11.1 through 4.11.4 **NFPA 2 4.10.4**
- 8. Emergency response liaison personnel shall do the following: **NFPA 2 4.11**
 - 1. Aid emergency responders in pre-planning responses to emergencies
 - 2. Identify locations where (GH2 or LH2) are located.
 - 3. Have access to material safety data sheets.
 - 4. Be knowledgeable in the site emergency response procedures. **NFPA 2 4.11.3.2**
- 9. Protection from vehicular damage **NFPA 2 4.14-4.14.1.2**

Review and approval by the Authority Having Jurisdiction shall not relieve the applicant of the responsibility of compliance with sections of these codes.

If you have any questions about this plan review report, please feel free to contact me

Respectfully submitted,

David C McInally
Fire Marshal
Van Buren Fire Department



Memo

TO: Planning Commission

FROM: Grace Stamper
Planning and Economic Development Intern

RE: Review of Temporary Land Use Request # TLU18-037- Ricardo, Inc.
Agenda Item for December 12, 2018

DATE: December 4, 2018

Ricardo, Inc. is requesting a Temporary Land Use permit for a Mobile Hydrogen Refueling Station for Fuel Cell Vehicles in their secured vehicle lot at 40000 Ricardo Drive. The use is proposed to be from December 2018- April 2019. Per article 7, section 7.120 of the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

I have reviewed the application and the requirements of article 7, section 7.120 of the ordinance for temporary land use approval and have the following comments:

- 1. Adequacy of parking and access:** The proposed use is placed in a location that does not impede access to the lot it is in. Its use will not increase vehicle traffic on the site and it does not take up any parking stalls in the main lot, so overall parking on the site remains adequate.
- 2. Adequate drainage:** The proposed use will be placed on the existing parking lot. It will not cause drainage issues because it does not change the amount of impervious lot surface or the amount of water directed into the storm system.
- 3. Compatibility with surrounding land uses:** The site is zoned M-1, light industrial. It is bounded to the east by I-275, the south by Tyler Road, the north by another light industrial development, and the west by an open field. The proposed use is permitted on parcels zoned light industrial and is related to the current light industrial use of automotive research and development on the parcel, so it is compatible with surrounding land uses.
- 4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site:** There is no building to be constructed. The proposed use is a temporary mobile unit that will be removed when the permit expires.

5. Sufficient setback from road right-of-ways and lot lines: The location of the proposed use meets the 50' front, 40' rear, and 40' side setback requirements.

6. Adequate utilities: The proposed use does not require the use of any utilities at the site, so the site's current utilities are adequate.

7. Trash disposal and site clean up: The proposed use is not expected to generate any trash per correspondence with the applicant.

8. Sanitary facilities: The proposed use will support the current operations of the applicant, not attract more people to the site. The applicant's existing sanitary facilities are sufficient.

9. Hours of operation: The expected hours of operation are during normal business hours from 7am- 5pm.

10. Outdoor lighting and signs: The proposed use does not include any outdoor lights or signs.

11. Other licenses or permits required: There are no other licenses or permits required for the proposed use.

12. Potential noise, odors, dust, and glare: Per correspondence with the applicant, the proposed use creates little if any noise, so there is not expected to be any noise, odors, dust, or glare from the proposed use which impacts surrounding properties or the public.

13. Fire lanes, fire protection, and security: The location of the proposed use leaves adequate access to the lot it is placed in. The Fire Marshall has reviewed the application and recommended approval in a 12-5-18 letter.

14. Off-site impacts of traffic volume: The proposed refueling station will be placed in a secured lot on the property and only used by the applicant. Therefore, it will not increase or impede off-site traffic volume.

15. Necessity of a performance guarantee or insurance to ensure proper termination and removal of the use, clean up or compensation for impacts of the temporary use: As the proposed use is not expected to negatively impact the site or the surrounding area, there is no need for a performance guarantee or insurance.

16. Other concerns which may impact the public health, safety, or general welfare: The proposed use entails chemical storage (hydrogen) within the refueling unit, which would cause concern if the chemicals were not stored properly. However, the applicant has outlined safety measures and guidelines to sufficiently show that the unit is safe.

Recommendation

Ricardo, Inc. submitted an application for the same Mobile Hydrogen Refueling Station in 2016 and was granted approval. If this year's application is approved, it would meet all of the same standards and requirements that the approved 2016 temporary land use did.

I recommend approval of Case #18-037 for Ricardo Inc.'s temporary land use permit for a Mobile Hydrogen Refueling Unit for Fuel Cell Vehicles from December 2018- April 2019 subject to the following condition:

1. Compliance with the conditions set forth in the 12-5-18 Fire Department review letter