

**Highland Township Planning Commission
Record of the 1430th Meeting
Highland Township Auditorium
June 5, 2025**

Roll Call:

Kevin Curtis, Chairman
Grant Charlick
Chris Heyn
Mike O'Leary
Roscoe Smith
Scott Temple (absent)
Russ Tierney
Guy York
Michael Zeolla (absent)

Also Present:

Elizabeth J. Corwin, Planning Director

Visitors: 3

Chairman Curtis called the meeting to order at 7:30 p.m.

Agenda Item #1: Call to the Public: Opportunity for anyone to bring forward issues of interest or concern for Planning Commission consideration. Each participant limited to 3 minutes.

There was no public comment.

Public Hearing:

Agenda Item #2:

Parcel # 11-27-351-005
Zoning: OS, Office Services District
Address: 100 Lone Tree Road
File#: URSA 25-02 PH
Request: Site Specific Relief to reuse former Frontier Communications maintenance facility for office, sales, and research and development for Pitch Hopper
Applicant: Phil Rashid, Pitch Hopper
Owner: 100 Lone Tree, LLC

Mr. Curtis introduced the request for site specific relief for Pitch Hopper to occupy the former GTE/Frontier Communications maintenance facility at 100 Lone Tree Road for office, sales, research and development.

Mr. Phil Rashid, representing Pitch Hopper was present to explain his proposal. He explained that Pitch Hopper was established in 2017, and is currently located within a commercial strip center built by his father, Philip Rashid on South Milford Road. The business has been very successful and has outgrown its space, but he wants to honor a promise to his father to remain close in proximity so that he can continue to

assist in the family construction business. When the property at 100 Lone Tree Road became available for sale he thought it would be well-suited for his needs, almost as is. He does hope to add an additional building to the site in the future. He plans to use it for storage, testing and shipping, to house his sales staff, to provide training on his project and to also develop new products.

Mr. Curtis opened the public hearing at 7:35 p.m. No public spoke and the public hearing was closed.

Mr. Charlick explained his observations about the building and its site. He had discussed the proposed use with Mr. Rashid prior to his application. There had been a conversation with staff about demonstrating that the proposed use was less intensive than the prior non-conforming use, but the ordinance would then strictly limit the improvements that could be made to the site and building. There had also been conversations about potentially rezoning the property, but the intended use best fits in either the C-2, General Business or IM, Industrial Manufacturing Zoning District and neither of those zoning classifications are consistent with the Master Plan. Any such rezoning action would create a potential spot zoning and open the area to more intense development than envisioned. The tool of site specific relief allows the Township to acknowledge the value of the existing investments at this site and allow for reasonable use of the property and negotiation of reasonable improvements.

Mr. Charlick sees this proposal as a positive development for the Township, as it enables a local business to grow and remain in the community, addresses some operational difficulties that are found at the existing site for the loading/unloading of freight, and encourages improvement of a site that has not seen improvement in many years. The use is less intense than

Mr. Charlick asked about the future building shown on the site plan and the condition of the existing building. Ms. Corwin shared pictures provided by the applicant to show the interior and exterior of the building, which is in very sound condition, although the exterior has weathered. Mr. Rashid said his immediate concern is to improve and occupy the existing building and the future expansion would come in a few years. He also plans to repave the parking area and remove some of the pavement in the front yard.

Mr. York asked if the future building would be similar in appearance to the existing building. Mr. Rashid explained he was not that far in the planning, but it would probably be a similar steel structure.

Mr. O'Leary asked why the building had fallen into disuse to break the non-conforming use status. Mr. Rashid said he had a letter from Frontier Communications saying they had used the building up to the date that they listed it for sale, at least within a few months of purchase. He said there had been truck traffic in and out of the site up until the time he closed, but acknowledged it was a fraction of the use that had once been. He asked Ms. Corwin if this application would even be necessary if not for the lapse in use.

Ms. Corwin explained the tool of site specific relief. She said that under that tool, the Township could allow reasonable use upon finding that there was an investment of significant value that would not be amenable to a use otherwise allowed under existing zoning, which is office services; that there is significant value remaining in the investment that is currently in place; that the proposed use would not significantly alter the character of its surroundings in a negative way; and in consideration of the history of how the investment came to be. As to the history of the developed site, she explained that GTE constructed the building in the 1960's, prior to the Township's first zoning ordinance. At that time, this would have been considered an essential use anyway, and in fact the property had a zero taxable value at the time of the sale due to its status of a utility. She noted that the telecommunication industry is drastically different today, and its not as if another telecommunication company is going to assume use and operation of the site.

Mr. O'Leary asked why the site had been zoned OS, Office Services, and why it hadn't been zoned or master-planned for a more compatible use. Ms. Corwin said that if aggregated to other adjacent parcels, it

might be appropriate for office use, but that on its own, given the state of office land use in the region which is widely available, it is questionable whether the site had value for office use. Since there are adjacent greenfield properties that have not seen any development interest, the question for the Township is whether it is better to allow a reasonable use of the existing building, or let it go derelict for a future "what if", especially since there is no sanitary sewer or water service to the property. Although it "could be" converted to an office use, it is questionable whether it would make economic sense to convert a steel building with no windows on the south side to an office use. Sometimes the Planning Commission must balance such concerns.

Mr. O'Leary noted that the appearance of the building is not compatible with adjacent residential, or commercial uses. He was conflicted by the thought that past Planning Commissions had zoned the parcel with the thought that the site could be brought into compliance with its surroundings.

Ms. Corwin explained that at the time that this parcel was zoned OS, the adjoining parcels were also zoned OS. The Board had only zoned adjacent property to C-1 in the last five or six years, even though the Planning Commission recommendation was to remain OS. The Master Plan designation of OLIC, covers both office and local commercial zoning since the potential impacts are similar. Mr. Tierney noted that the site was zoned OS only because of the presence of the GTE building. Ms. Corwin thought that he was correct, if the GTE facility had not been there, the property could have been zoned and master planned for residential use. The existence of the facility set a long-term expectation it would never be residentially used property.

Mr. O'Leary asked if there was much noise associated with the proposed use. Mr. Rashid explained the boxing activity was indoors, and the only noise is the occasional high-low taking a palette of boxes to a truck.

Mr. O'Leary asked more information about outdoor storage. Mr. Rashid asked only for a place for the occasional trailer to be stored during loading/unloading.

Mr. O'Leary asked about the landscaping plans. Mr. Rashid explained he has already begun the efforts and planted 150 evergreen and arborvitae along the north, west and south property lines, wherever the overhead electric lines did not prevent.

Mr. Charlick asked about the concept of "grandfathered use". Ms. Corwin pointed the Planning Commission to Article 16 of the Zoning Ordinance regarding non-conforming use. A non-conforming use is vacated if the use is abandoned or discontinued for one year. Even if a non-conforming use is allowed to continue, there are strict limits about improvements to the site or expansion of the use.

Mr. Charlick likened this site to the vacant lumberyard. That site has sat vacant for well over twenty years and has fallen to disrepair. He thought it was better to work with a property owner to allow a use today instead of forbidding a reasonable use in hopes of a future that may never come. The Planning Commission has been presented with a proposal by a local property owner who is seeking to do the right thing today and follow proper procedures. This planning tool allows a framework to be established through conditions that allow some trailers or limited storage which is less intrusive than the heavy equipment and materials that used to be on the site.

Ms. Corwin described the process. The Planning role is to do the legwork for the Board, collect the facts and offer a recommendation. The Board will conduct its own hearing. The work of the Planning Commission includes the Statement of Agreed Upon Facts. The final product will be a development agreement that spells out the acceptable uses, and limits on future development, and conditions of the operation of the site and the basic concept of the site plan. Detailed future site plans will provide

architectural plans of the new building and other site plan details and will be presented to the Planning Commission for review and approval prior to any building permits being issued.

Mr. York noted that the site plan should show the location of the proposed outdoor storage. The Planning Commission discussed the limits of the recent plantings. The consensus was that the line of plantings should extend south on the west line to screen the view from the adjacent home. Mr. Smith also suggested foundation plantings such as shrubs.

The proposed improvements to the structure will include new garage doors on the north side. The Planning Commission also recommended improvements to the south elevation, such as some windows and an attractive public entrance. They discussed possible improvements to the roof line such as dormers, but Mr. Rashid suggested that he could not agree to that without some architectural study of the structure to see if it could be supported. He did note that the roof is in great shape, and if you scratch through the protective coatings, the steel is still bright.

Mr. Rashid noted that he had already gutted the interior of the building before he realized that he had to go through a planning process with the Township. He noted that he could add some windows on the south wall, but that would not necessarily be office space.

Mr. York asked if the research and development function would be in the existing building or new structure. Mr. Rashid foresees that function in the new building. He has several ideas he cannot develop now due to lack of space. The existing function he needs to deal with in the immediate future is shipping, receiving and distribution, and a place to demonstrate the product. His product is manufactured in Michigan.

Mr. Heyn noted that once the new building is proposed, it will not even be visible from Lone Tree Road. Mr. York noted that its unfortunate it could not be the other way, with the warehouse hidden behind the showroom.

Mr. Tierney asked if the Fire Marshal had reviewed and approved the site layout. Ms. Corwin reported the Fire Marshal has no concerns.\

Mr. York offered the following facts and findings: The Planning Commission has reviewed a significant application package, complete with the statement of agreed upon facts developed with staff input. The package supports the approval of site specific relief for parcel 11-27-351-006 , 100 Lone Tree Road and the Planning Commission finds that the five criteria for eligibility have been satisfied and are well documented: 1) the applicants property fronting Lone Tree Road does not have reasonable value for office space; 2) the applicants difficulty in development the property for office use is largely based on its location, and the availability of many undeveloped properties nearby; 3) the essential character of the surrounding area will actually be improved through the aesthetic improvements to the site and less intense nature of the use; 4) the history of the site is that the facility was developed prior to the existence of zoning in Highland Township and the existing structure has excellent "bones" to accommodate the proposed use; 5) the reuse of the site is less intense than the previous non-conforming use, and preserves that investment. It is noted that the applicant has already begun investing in landscaping and screening. It is recommended that the applicant provide fenestration and aesthetic improvements to the south façade of the building, as well as landscape plantings. It is recognized that the applicant seeks to add an additional structure of approximately 1.5 times the size of the existing structure. The site plan includes outdoor storage location that is well-thought out and hidden from view of Lone Tree Road. The proposed use for offices, sales, packing, shipping, receiving, testing, and product development is an excellent use of the site.

Mr. York moved to recommend approval of Site Specific Relief to the Board of Trustees for the intended use for the subject parcel based on the facts and findings noted above. Mr. Tierney supported the motion. Roll Call vote: Charlick-yes; O'Leary-yes; Tierney-yes; York-yes; Curtis-yes; Heyn-yes; Smith-yes. Motion carries (7 yes votes, 0 no votes.)

Agenda Item #3: Zoning Ordinance discussions: commercial and recreational vehicle parking in residential districts, other items of interest.

Ms. Corwin requested that this discussion item be postponed to a future meeting.

Agenda Item #4: Committee Updates

- Zoning Board of Appeals:
- Township Board:
- Highland Downtown Development Authority:
- Planning Director's Update

Committee liaisons reported on the activities of their respective organizations.

Agenda Item #5: Minutes: May 1, 2025

Mr. Charlick offered a motion to approve the minutes of the May 1, 2025, Planning Commission meeting as presented. Mr. Tierney supported the motion which was approved by voice vote (all ayes, no nays)

Adjournment:

Mr. Charlick moved to adjourn the meeting at 8:43 p.m. Mr. Tierney supported the motion, which was unanimously approved by voice vote. (all ayes, no nays)

Respectfully submitted,

A. Roscoe Smith, Secretary
ARS/ejc