

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, DECEMBER 12, 2017 AT 7:30 P.M.
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Location: Ray Township Hall
64255 Wolcott. Ray, MI 48096

Present: Tom Penzien, Vice-Chairman
Justin Lease, Secretary
Members: Cynthia Banach
Randy Forro
Justin Marberg
Doug Stier
John Zoccola

Absent: None.

Also Present: Lisa Hall, Planning and Zoning Clerk,
Jack Dailey and Jerry Schmeiser, Township Planners.
Attendance record on file

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE AND ROLL CALL.
Vice-Chairman Penzien called the meeting to order at 7:30 p.m. The Pledge of Allegiance was recited. All members were present.

Vice-Chairman Penzien welcomed the new Planning Commission member, Justin Marberg.

2. APPROVAL OF MINUTES–August 8, 2017–Penzien corrected the minutes to close the public hearings.
MOTION by Zoccola supported Stier to approve the minutes from June 13, 2017 as corrected.
MOTION carried.

3. APPROVAL OF AGENDA-
MOTION by Banach supported by Zoccola to approve the agenda as presented.
MOTION carried.

4. SCHEDULED PUBLIC HEARINGS – None.

5. NEW BUSINESS.

A. Discussion proposed Zoning Ordinance amendments

Penzien suggested reviewing the entire zoning ordinance since a public hearing will be advertised.

Mr. Dailey, Planning Consultant stated they have proposed amendments to the zoning ordinance that have come up within the last year. He stated the Planning Commission has reviewed applications for special land use for accessory buildings, they have proposed increasing the size of the building based upon the size of the parcel.

Penzien asked the Planning Commission members their thoughts on the proposed 7.5' side yard setback for an accessory building with less than 1,000 square feet to 3,000 square feet.

Stier stated in the 60's there were half acre lots that were approved and if they would want to construct an accessory building the 15' setback for the side yard and rear yard would not allow a property owner to tuck the accessory building in the back corner of the lot. Further stated some residents would want to build an accessory building to store a recreational vehicle.

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Lease stated he is in favor of reducing the side yard and rear yard requirement but felt the 7.5' would become a dumping area. Further stated most residents have large lawnmowers and would prefer 10' setback for the side yard and rear yard.

Banach agreed with Lease on maintaining the area for lawn mowing and stated her concern that 7.5' for runoff would not be enough area.

Forro stated when an accessory building is constructed it is a raised building and stated he prefers the 15' requirement for the side yard and rear yard for drainage and maintenance.

Lease stated he would like to encourage residents to keep items in the accessory building instead of along the side of the building.

Discussion was held on the need for a swale on the property for run off.

Penzien asked the Commission for input for the side yard and rear yard requirement for an accessory building of 1,000 square feet to 3,000 square feet, as follows:

7.5' - Stier

10' – Lease, Zoccola, Marberg, Penzien

15' – Forro, Banach

Commission agreed to 10' side yard setback and 10' rear yard setback requirement for an accessory building

Discussion was held on the proposed 25' side yard and rear yard requirement for a 3,000 – 5,000 square foot accessory building.

Forro stated he built a 60' x 40' pole barn, 15' from the property line and had no problem maintaining a swale. Further stated 25' side yard and rear yard setback is not necessary.

Mr. Dailey stated the accessory building would not be for an agricultural building.

Lease suggested keeping everything uniform with 10' side yard requirement and rear yard setback.

Penzien asked the Commission for input regarding 3,000 square feet to 5,000 square feet accessory building for the side yard and rear yard requirement, as follows:

25' - None

10' – Lease, Stier, Forro, Banach, Zoccola

Zoccola questioned the height requirements. Further stated a resident wanted to build a cupola on top of the barn but couldn't because of the height restriction.

Mr. Dailey stated a special land use would be required before the Planning Commission.

Zoccola questioned the 16' sidewall requirement is someone wanted to build a hobby style barn.

Discussion was held on the 16' sidewall requirement and the total height requirement should be amended to 24 feet instead of 22 feet.

Mr. Dailey recommended the zoning ordinance add the definition for kennel; commercial and private.

Penzien stated the next proposed amendment addresses solar panels and shingles.

Mr. Dailey stated the Township Attorney has stated item (g) for solar panels and shingles should be removed.

Stier stated a resident came in regarding a solar panel farm on a fifty-five-acre parcel.

Mr. Dailey stated a special land use would be required for a solar panel farm. Further stated the maximum width to depth ratio should be amended from 1:5 to 1:4 to comply with State law. Further stated it would be amended in the Agricultural Residential, RT, RM, MHC, RMU-Residential & Commercial, B-1, B-2, DMU without public sewer, IR and I-1.

Penzien stated gas stations currently are required a special land use. The recommendation is to allow a gas station in the B-2 district and a special land use would not be required.

Mr. Schmeiser, Planning Consultant stated a gas station would still need site plan approval from the Planning Commission.

Penzien stated the proposed amendment is for Wireless Communication Towers.

Mr. Dailey stated the Michigan State Statue for wireless communication towers allows a tower in all districts with a special land use.

Commission agreed with the proposed changes as discussed.

Mr. Dailey stated the Commission received the dedicated landscape area language for review. Further stated it would not be part of the Zoning Ordinance and asked the Commission to review the language.

Penzien stated the hottest topic in Ray Township is home occupations, he asked the Planning Commission members to review the ordinance.

Mr. Dailey stated a Home Occupation, Type II requires the Planning Commission's approval.

Mr. Schmeiser stated the zoning ordinance has not been enforced regarding home occupation and a Type II, requires a special land use approval from the Planning Commission. It also includes hard surfaced parking lots, screening, greenbelts, acceleration and deceleration lanes. Further stated he would provide the portions in the zoning ordinance to the Commission.

MOTION by Lease supported by Banach to Schedule a Public Hearing for Zoning Ordinance Amendments to Section 200, Accessory Buildings in Residential Districts, definitions for kennels, Section 215 Solar Panels and Shingles, Maximum width to Depth Ratio, Wireless Communication Towers for January 9, 2018.

B. Discussion Capital Improvement Plan

Vice-Chairman Penzien stated the Township Supervisor advised him a Capital Improvement Plan is needed to apply for State and Federal grants. He stated a Capital Improvement Plan is a wish list for the Township, as if money isn't an issue and is a six-year plan.

Mr. Schmeiser stated he and Mr. Dailey have prepared the City of Warren and Macomb Townships Capital Improvement Plan.

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Mr. Dailey stated they will work with each department for input and the Township Supervisor and would submit a plan to the Planning Commission.

Zoccola stated Station 2 for the Fire Department could be built on the Township property at 27 Mile Road and Romeo Plank.

Stier stated the Township also owns property on North Avenue for a satellite station. He stated a new town hall and fire station could be built on the 27 Mile Road and Romeo Plank property. He stated the senior center was built with Community Development Block Grant funds, so it will always remain a senior center.

MOTION by Zoccola supported by Banach to initiate a Capital Improvement Plan for Ray Township.

MOTION carried.

6. OLD BUSINESS.

Vice-Chairman Penzien stated there has been no action regarding medical marijuana so the Township is opting out.

7. PRESENTATION: *None.*

8. Report of the Board Representative:

Stier reported the Board approved the 2018 meeting schedule and all meetings will begin at 7:00 p.m.

9. ZONING BOARD OF APPEALS REPRESENTATIVE:

DeMan attended the meeting and reported the Zoning Board of Appeals granted a variance for a parcel that was adding property to comply more with the depth to width ratio. Further reported a variance was granted for a parcel to split a 2 ½ acre parcel off a parcel with a pond close to the property line.

10. CORRESPONDENCE

a. Washington Township Master Plan Update
Planning Commission received the plan.

11. PLANNING CONSULTANTS REPORT.

Mr. Dailey stated the Commission received the Planners report dated December 7, 2017 to keep them informed of meetings in the office.

Mr. Dailey stated the Commission received the dedicated landscape area to be discussed at the next meeting. He stated he will have to discuss the proposed language with the Township Engineer.

Vice-Chairman Penzien stated Tom Hancock has moved out of the Township but he did a great job as Chairperson of the Planning Commission. Further welcomed Justin Marberg to the Planning Commission. He stated the by-laws will need to be reviewed at the next meeting to review the required classes. He stated he found the classes to be a waste of time.

Lease stated he watched the webinar on Michigan Township Association and found it to be very beneficial. Forro stated he attended a MTA seminar and learned a lot of information.

Zoccola stated he would not be in attendance for the next three months.

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12. PUBLIC COMMENTS. – None.

13. ADJOURNMENT.

**MOTION by Stier supported by Forro to adjourn the meeting at 8:55 p.m.
MOTION carried.**

Tom Penzien, Vice-Chairman

Justin Lease, Secretary

Date

Respectfully submitted,
Lori R. Lascoe, Recording Secretary
Township Clerk