

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, MARCH 13, 2018 AT 7:00 P.M.
Page 1 of 6

Location: Ray Township Hall
64255 Wolcott. Ray, MI 48096

Present: Tom Penzien, Chairman
Justin Lease, Vice-Chair
Randy Forro, Secretary
Members: Justin Marberg
Doug Stier

Absent: Cynthia Banach (excused)
John Zoccola (excused)

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.

Chairman Penzien called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. Penzien, Lease, Forro, Marberg, Stier were present. Banach & Zoccola were absent.

2. APPROVAL OF MINUTES – February 13, 2018

**MOTION by Stier supported by Marberg to approve the February 13, 2018 minutes as presented.
MOTION carried.**

3. APPROVAL OF AGENDA-

**MOTION by Marberg supported by Stier to approve the agenda as presented.
MOTION carried.**

4. SCHEDULED PUBLIC HEARINGS –

A. SPECIAL LAND USE and Site Plan for additional hangers for Airport Expansion, Ray Community Airport, 59819 Indian Trail, Ray, MI Permanent Parcel #05-26-400-030; Macomb Airways, Petitioner.

Penzien explained the procedure to the residents that the Planner will present his finding for the application. The correspondences from the departments would be read into the record. Then the public should come to the podium and state their name and address and state any concerns or comments they have on the item.

Chairman Penzien opened the public hearing at 7:02 p.m. for the special land use application.

Mr. Dailey, Planning Consultant presented his findings dated March 12, 2018 as follows:

“The purpose of this request as noted on the APPLICATION FOR SPECIAL LAND USE AND SITE PLAN APPROVAL is for the construction of ten (10) airport private hangars at the Ray Community Airport.

According to Ray Township Zoning Ordinance 36, Section 403-C, Airports, airfields, runways, hangars, beacons and other facilities involved with aircraft operations may be permitted as a Special Land Use in the Residential Agricultural District subject to the standards of Section 1700-A; and the provisions of Site Plan Review.

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, MARCH 13, 2018 AT 7:00 P.M.
Page 2 of 6

The Ray Community Airport occupies 91 acres on the west side of Indian Trail, between 27 and 28 Mile Roads. The subject parcel is a 2.109 A parcel with 191.87 ft of frontage on west side of Indian Trail that is situated approximately 200 ft east of the north/south runway and immediately south of existing hangers that back to Indian Trail. The parcel is presently zoned R-1 (Residential Agricultural) and undeveloped.

Special Land Use (SLU) is the use of a lot or parcel of land for an activity which, under usual circumstances, might be detrimental to other permitted land uses and cannot be permitted within the same district, but which use can be permitted under circumstances unique to the proposed location and subject to conditions acceptable to the community and providing protection to adjacent land use.

The Zoning Ordinance has vested the power to grant special land use approval to the Planning Commission. The Planning Commission must as part of its review and consideration conduct a public hearing regarding the merits of this request. The Planning Commission shall make a determination as to whether the proposed use as discussed below meets all ordinance standards of Section 1700 A applicable to the airport use requested in addition to the required review standards found in Section 2202 of the Zoning Ordinance. The Commission must also find that there are no more adverse effects than would normally be associated with the subject district which in the opinion of the Planning Commission cause injury to the adjacent properties or residents, or the Township as a whole.

The Special Land Use Standards itemized in Sections 1700 A and 2202 of the Zoning Ordinance will be referenced individually later in this report.

The public roads that service the site are gravel surfaced. See the aerial map below.



The general description of the surrounding properties is as follows:

The adjoining parcels to the north, south and west are zoned R-1 and contain residential uses on large parcels. The parcels to the east across Indian Trail are also zoned R-1 and contain residential parcels.

The site plan submitted indicates the following;

The Ray Community Airport is irregular in shape is provided with 1770.91 ft. of frontage on the west side of Indian Trail and extends for a depth of 2668 ft.; for a total site size of 91 acres.

The parcel contains an improved east/west runway; grass north/south runway; and numerous structures including: 35 Hangars, Terminal, House, and Maintenance Garage.

Access to the parcel will continue to be provided via three separate drives off Indian Trail.

Ten (10) additional hangars will be constructed; Four hangars will measure (46' x 60') and will back to Indian Trail Road setback a minimum of 100 ft. from the right-of-way. Six hangars that measure 36' x 42' will face the larger hangars separated by a taxiway that will extend directly from the existing taxiway that services the hangars to the north.

The placement of these hangars will be in compliance with SECTION 1700 REQUIRED STANDARDS AND DESIGNS BY USE for airport hangars that... “No building or structure or part thereof, shall be erected closer than sixty (60) feet from any property line.”

The Fire Marshall in his letter of response for subject site plan dated March 10, reported specific concerns that must be addressed prior to issuance of any Building Permits if the Special Land Use is approved by the Planning Commission.

The Township Engineer will review plans for construction of ten new hangars and the taxiway extension servicing said hangars following approval of the site plan.

Applicable Sections of the Zoning Ordinance relating to the Special Land Use Request are cited below for reference.

Discussed below is a review of how the use of subject property for 10 new hangars to be located on subject parcel comports with the special land use standards itemized in Section 1700A and Section 2202 of the Zoning Ordinance.

Section 1700 Required Standards and Designs by Use:

Section 1700-A of the Zoning Ordinance stipulates the required standards for the request to construct hangars involved with aircraft operations as follows:

Airports, airfields, runways, hangars, beacons and other facilities involved with aircraft operations, subject to all rules and regulations of the Federal Aeronautics Administration, which agency shall approve the preliminary plans submitted to the Township. **Ray Township Planning Department has been advised by Michigan Department of Transportation that no reviews are required by either the State or FAA for the hangars under consideration since no State or Federal funds are being used or requested for the hangars in question.**

Land beneath all aircraft approach zones as established by appropriate aeronautical authorities, which is not actually owned by the airport or has some of its rights restricted by easement, shall be developed in a manner which will not endanger safe flight conditions to and from the airport. The permitted height of buildings, structures, telephone and electrical lines and appurtenances shall be established after consultation with the appropriate aeronautical agencies. **Not applicable to this request.**

No building or structure or part thereof, shall be erected closer than sixty (60) feet from any property line. **The hangars as proposed on the site plan submitted are a minimum of 60 ft. from the south property line.**

The open storage of junked or wrecked motor vehicles, aircraft, parts, etc. shall not be permitted. **Not applicable to this request; however, will be part of the recommendation.**

Section 2202 Special Land Use Standards. The Planning Commission shall review the request as its conformity to each of the following standards.

STANDARD NO. 1 - The proposed special approval land use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.

Comments to Standard No. 1: The Application for SLU to use subject parcel for ten additional hangars to be located as discussed above would be in harmony with existing development to the north and west of subject site as a natural extension of the development of hangars that have been constructed along the frontage of Indian Trail. The construction of 10 hangars as proposed will not be out of order for the land as presently developed. As noted above the placement of said hangars will be in compliance with the Design and setback standards established in Section 1700-A-3.

STANDARD NO. 2 - The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements, routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access to off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian vehicle conflicts.

Comments to Standard No. 2: The Application for SLU to use subject parcel for ten additional hangers to be located as discussed above would have no impact on either pedestrian or vehicular traffic as the increase in trips per day as the result of the new hangars is minimal and any pedestrian traffic would be internal to the site.

STANDARD NO. 3 -The proposed use will be designated so that the location, size, intensity, site layout and periods of operation of the proposed use eliminate any excessive nuisance emanating there from which might be objectionable to the occupants of any other nearby permitted uses.

Comments to Standard No. 3: The Application for Special Land Use to construct ten additional hangers to be located as discussed above would NOT be out of character with the District and adjoining parcels with respect to issues of noise, fumes, lights and vibration. The hangers will be sufficiently screened using the planting of trees planted upon a landscaped earth berm to minimize the impact of lights from vehicles on site. There should be no negative impacts relating to noise, lights, fumes and other potential nuisance factors as evidenced by the lack of complaints against the existing hangers adjoining to the north.

STANDARD NO. 4 -The proposed use will be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

Comments to Standard No. 4: The site plan as designed avoids conflict with the adjoining parcels using landscaping and distance. The ten additional hangers are designed to blend with the surrounding area by the hangers closest to Indian Trail backing to the road thus screening the activity on site from the residential uses on the east side of Indian Trail.

STANDARD NO. 5 -The proposed use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.

Comments to Standard No. 5: The Application for SLU to use subject parcel for ten additional hangers to be located as discussed are designed to be operated in such a manner that the public health and safety would be adequately protected. The hangers as proposed should cause no issues to public health safety and welfare.

STANDARD NO. 6 -The proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

Comments to Standard No. 6: The Application for SLU to use subject parcel for ten additional hangers to be located as discussed above would operate as a complement to future land uses permitted with said zoning district. The use in question will not be detrimental to existing and/or other permitted land uses in the zoning district. Housing could readily be constructed on the parcels south of the site in question down to 27 Mile Road.

Mr. Dailey stated his recommendation for the special land use has been provided to the Commission.

Commission members read the correspondences, as follows:

Correspondences: - *All correspondences are on file with the Planning & Zoning Department*
3-2-18 Lyle E. Winn, Township Engineer of Anderson, Eckstien & Westrick, Inc.
3-8-18 George Ferrari 59789 Ray Center

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, MARCH 13, 2018 AT 7:00 P.M.
Page 5 of 6

3-9-18 Vince Ferrari 58840 Ray Center

3-10-18 Harold DeMan Jr., Ray Township Fire Marshal, EMTIC.

3-12-18 Dennis LeMieux, Ray Township Building Official

Penzien stated if someone would like to ask any questions or comments please come to front of room and state name and address for the record.

Vince Ferrari, 58440 Ray Center, asked how many residents fly out of the airport and what benefit does the airport provide?

Duane Hansen, 59150 Indian Trail, asked why they have to keep building hangers?

Connie Hansen, 59150 Indian Trail, stated she sees helicopters fly over continuously. Asked how many hangers have planes in them or are they just storage units?

Bill McCormick, Ray Community Airport replied that the airport can have pluses and minuses. The airport is actively involved in teaching young adults and children how to fly. The airport supports the Ray Township Picnic and continues to put money into the community.

Chairman Penzien closed the public hearing at 7:30 p.m.

Commission had comments and questions regarding any further expansion of the airport, the number of planes currently on the site and the number of planes the new hangers will hold.

Mr. McCormick responded to the Commissions questions.

MOTION by Marberg supported by Forro to Approve the Special Land Use for Ray Community Airport Expansion and Construction of Hangers at Ray Community Airport in the R-1 (Agricultural-Residential) District: Parcel #05-26-400-032, Macomb Airways, Petitioner. This approval is subject to the following conditions:

- The proposed use as described herein is consistent with or not in conflict with any of the Special Land Use standards found in Section 2202 of the Zoning Ordinance.
- The proposed use as described herein can be designed to comply with the special requirements imposed by Section 1700-A as noted above.

Opposed: Stier.

MOTION carried.

Mr. Kohler, Macomb Airways asked if there is a penalty for not completing the project in two (2) years, requested and extension to five (5) years.

Mr. Dailey advised that petitioner can return to planning commission in two years if project is not complete to request extension.

MOTION by Lease supported by Forro to keep approval time period at two (2) years with no monetary penalty to extend time.

MOTION carried.

Commission discussed the site plan.

Stier stated a real site plan needs to be submitted.

Lease stated he was not comfortable voting on the site plan as presented.

Stier, Lease and Forro agreed the site plan that was submitted was not complete.

MOTION by Lease supported by Stier to table the site plan application for the Construction of Hangers at Ray Community Airport until site plan drawings are submitted that meet the engineer and fire department requirements.

MOTION carried.

5. NEW BUSINESS. – None.

6. OLD BUSINESS.

A. Discussion Capital Improvements Plan

Mr. Penzien requested the Master Plan be included in next month's discussion.

Mr. Forro asked if water and sewer are considered capital improvements.

Mr. Penzien provided a description of Capital Improvements as major, infrequent, large and expensive non-recurring projects and purchases.

B. Discussion Dedicated Landscape

Mr. Lease asked when the dedicated landscaping would be constructed in a new development? Mr. Schmeiser stated that it would need to be completed prior to the construction of any homes.

7. PRESENTATION: None.

8. REPORT OF THE BOARD REPRESENTATIVE: There was nothing to report.

9. REPORT OF THE ZONING BOARD OF APPEALS REPRESENTATIVE: - Nothing to report.

10. CORRESPONDENCE – None.

11. PLANNING CONSULTANTS REPORT. Report will be available at next month's meeting.

12. PUBLIC COMMENTS – None.

13. ADJOURNMENT.

MOTION by Stier supported by Forro to adjourn the meeting at 8:11 p.m.

MOTION carried.

Tom Penzien, Chairman

Randy Forro, Secretary

Date

Respectfully submitted,
Lisa Hall, Recording Secretary