

Ray Township Planning Commission
Meeting Minutes
Tuesday, August 9, 2016 at 7:30 p.m.

Location: Ray Township Hall
64255 Wolcott, Ray, Michigan 48096

Present: Tom Hancock, Chairman
Tom Penzien, Vice Chairman
Lori Lascoe, Secretary
Joe Jarzyna
Justin Lease
John Zoccola

Absent: Cynthia Banach

Also present – Lisa Hall, Building, Planning and Zoning Director; Jack Dailey and Jerry Schmeiser, Township Planners; and 5 residents.

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE AND ROLL CALL

Chairman Hancock called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.
Present: Hancock, Penzien, Lascoe, Jarzyna, Lease and Zoccola. Absent: Banach.

2. APPROVAL OF MINUTES – July 12, 2016 – Ms. Lascoe made a minor correction to the minutes.

MOTION by Ms. Lascoe to approve the minutes from July 12, 2016, as amended, supported by Mr. Zoccola. Motion carried.

3. APPROVAL OF AGENDA – MOTION by Mr. Jarzyna to approve the agenda as presented, supported by Mr. Zoccola. Motion carried.

4. SCHEDULED PUBLIC HEARINGS –

a. New Business – HCMA – Site Plan Review, Employee Parking Area; Parcel No. 05-16-200-010; HCMA Metropolitan Authority, Applicant.

Mr. Schmeiser, introduced Nina Kelly, representing Huron-Clinton Metroparks, present tonight for any questions. Mr. Schmeiser explained the request is an application for site plan approval for the development of employee parking for the Wolcott Grist Mill. The parking area is to be located off the west side of Wolcott Road approximately 250 feet south of Indian Trail. In accordance with the past practices and guidelines adopted in the Township's Master Plan all improvements within the boundaries of the Park would appear before the Planning Commission for approval.

The Huron Clinton Metropolitan Authority has developed the Wolcott Mill Metropark Historic Center in Ray Township providing historic and recreation facilities to the entire Macomb County. Other uses of the acquired property, which runs along the North Branch of the Clinton River in the approximate center of the Township provides a golf course, camping, hiking trails, a farm center and other facilities for the Metro area. The total acreage of the Park property is 2,625 acres. The Metropark is a premier destination in Macomb County for use of its many facilities. The Master Plan for Wolcott Mill is included and adopted as part of the Township's Master Plan.

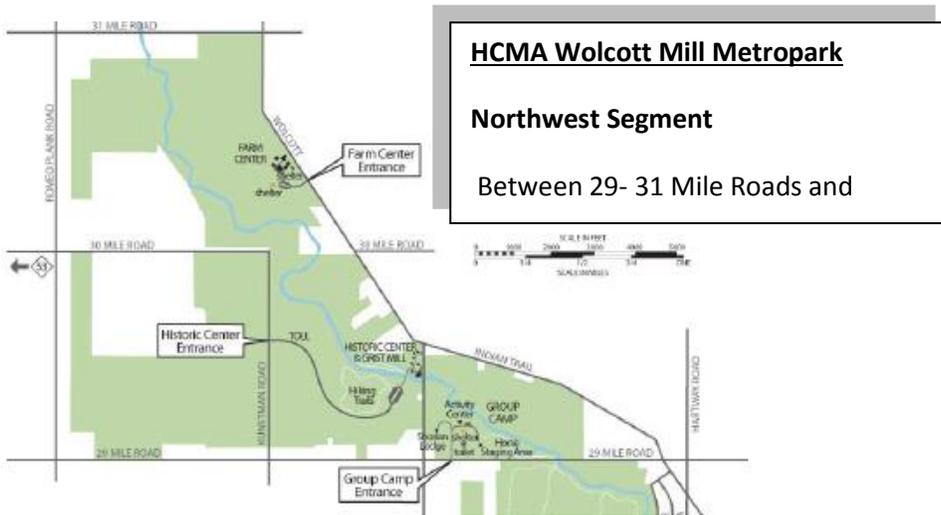


Figure 1.

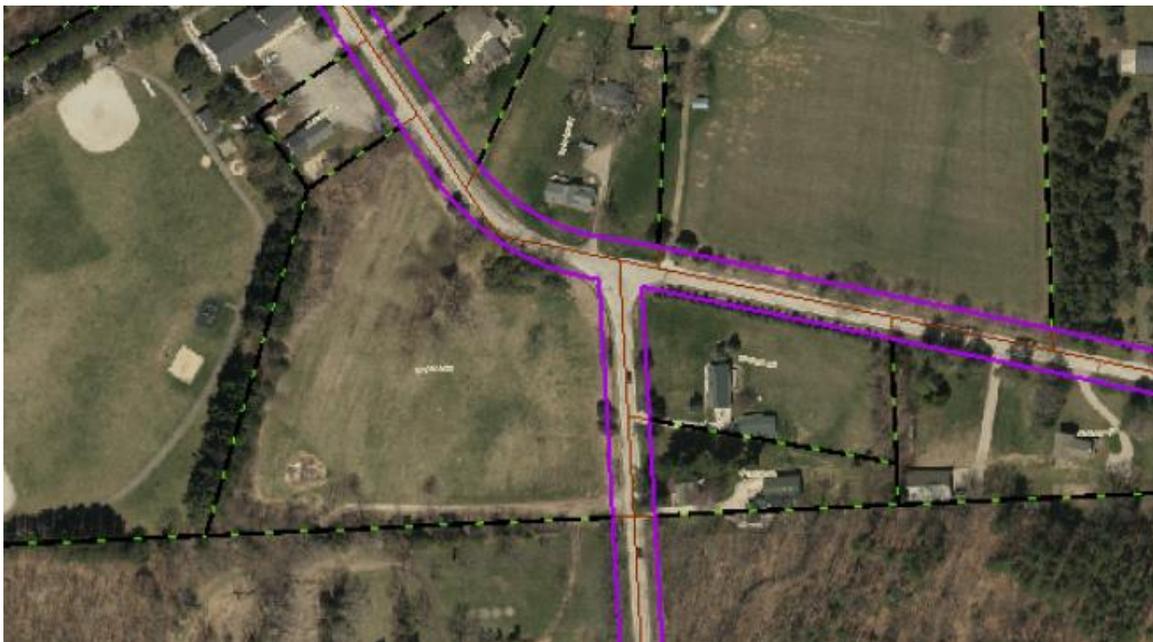
The general description of the surrounding properties is as follows:

The adjoining parcels to the north and south of the proposed parking area are part of the Wolcott Mill; The Township Municipal Offices including historic library and Park are located to the west fronting on the west side of northbound Wolcott. The parcels to the north across Indian Trail and to the west across Wolcott contain single family residences on acreage parcels.

(See Figure 2. Below)

All surrounding parcels are zoned R-1(Agricultural Residential)

Figure 2. Aerial View of Surrounding Parcels



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II. The site plan submitted indicates the following;

- A. An employee parking area for approximately 8-9 car standard spaces and two Van Accessible Handicap spaces will be developed off a service drive that exists on subject parcel.
- B. The standard parking spaces will face north off the service drive setback 124.4 ft. from Wolcott Road. Facing the spaces north will allow existing mature trees on site to be undisturbed.
- C. The parking area will measure 84 ft. wide include 19.5 ft. for the depth of the space and additional width for the widening of the drive to 23 ft.
- D. The Van Accessible Handicap spaces will face south and be set in place 38.4 ft. west of Wolcott adjoining a proposed 8 ft. wide HMA walk that leads to the comfort stations and connecting paths to the Historic Mill.



TRAILS
 Two trails currently allow visitors to enjoy the historical and natural surroundings.

MILLRACE TRAIL - .6 MILE
 Walk along the millrace to the dam and return along the river. The dam backed up the millpond and sent the water down the millrace to the mill where it was used for power. The dam washed out during a storm in 1972.

MOTHER EARTH TRAIL - .7 MILE
 A handout to explain the use of the area by American Indians long before the mill was built can be found in the mill.



The Township Planners recommend that the Site Plan for employee parking on subject parcel should be approved subject to the following conditions:

1. The parking areas to be properly graded, drained and surfaced to the satisfaction of the Township Engineer as follows:
 - Dimension the existing road Right-of-Way.
 - Taper the proposed gravel drive, between the gate and Wolcott Road, to match the width of the existing approach.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation.
3. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties.
4. That handicap parking and walk shall be installed per the requirements of the State and the ADA (American Disabilities Act).
5. That landscaping shall be planted north of the proposed parking to screen the car lights from the residential area to the north. HCMA should select the species and spacing to best suit the situation.

Chairman Hancock read correspondence from the following: Lyle Winn, Anderson Eckstein and Westrick Engineering; Bob Beckett, Building Official, Ray Township; Macomb County Health Department; and an email from Nina Kelly noting revised Plans.

Mr. Penzien said he has viewed the cars that park there now; and believes this seems as a reasonable request.

Mr. Zoccola noted the need for additional handicapped parking.

Mr. Hancock asked if Ms. Kelly had anything to add tonight. She stated they have updated the plan and all materials have been submitted. Nothing else to add.

MOTION by Ms. Lascoe to approve the request for site plan approval for Employee Parking Area; parcel no. 05-16-200-010; HCMA Metropolitan Authority, Applicant, based upon the following conditions:

1. **The parking areas to be properly graded, drained and surfaced to the satisfaction of the Township Engineer as follows:**
 - **Dimension the existing road Right of Way**
 - **Taper the proposed gravel drive, between the gate and Wolcott Road, to match the width of the existing approach.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation.**
3. **Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties.**
4. **That handicap parking and walk shall be installed per the requirements of the State and the ADA (American Disabilities Act).**
5. **That landscaping shall be planted north of the proposed parking to screen the car lights from the residential area to the north. HCMA should select the species and spacing to best suit the situation.**

Motion supported by Mr. Zoccola.

Roll call vote:

Ms. Lascoe yes

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Mr. Zoccola yes
Mr. Penzien yes
Mr. Jarzyna yes
Mr. Lease yes
Mr. Hancock yes
Motion carried – 6-0.

5. Old Business – none

6. Scheduled Public Hearings – Edwin Bush, Special Land Use Review, Parcel No. 05-18-400-002, Edwin R. Bush, Petitioner, 63991 Romeo Plank, Ray, MI 48096

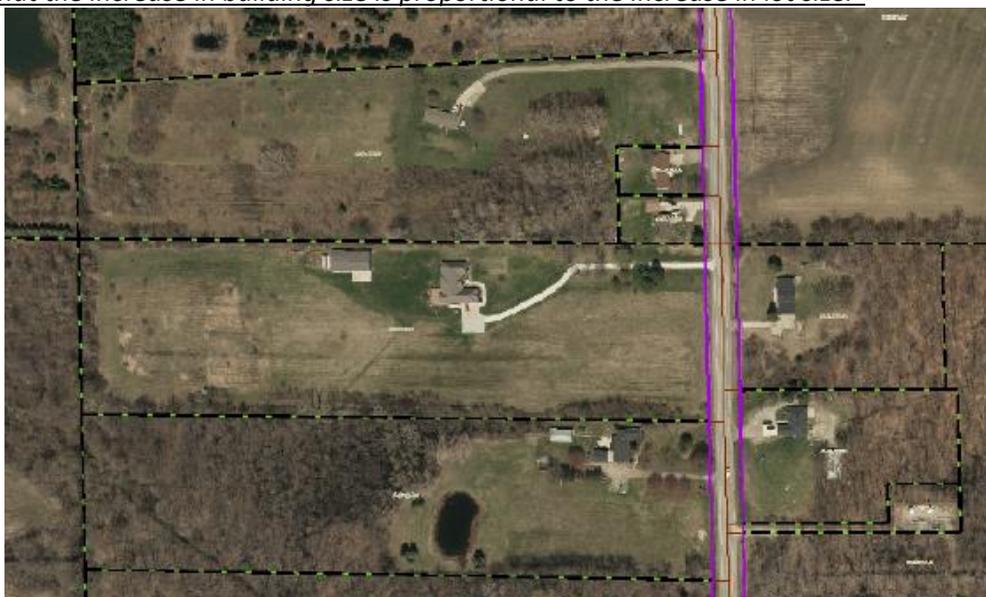
Chairman Hancock summarized the procedures for Public Hearing and reviewed the guidelines and rules that would be followed tonight.

MOTION by Ms. Lascoe to open the Public Hearing for Special Land Use Review for Edwin Bush, at 63991 Romeo Plank, supported by Mr. Zoccola. Motion carried.

Mr. Dailey presented the overview of the Township Planners’ report regarding this matter:

The purpose of this request as noted on the APPLICATION FOR SPECIAL LAND USE APPROVAL is for an addition to an existing barn to accommodate storage of tractors, trailers and other equipment. The subject parcel is zoned R-1 (Agricultural-Residential). The parcel is located approximately ½ mile north of 29 Mile Road on the west side of Romeo Plank Road.

Section 200 of the Zoning Ordinance provides that the use as requested may be permitted after special land use approval has been granted by the Township Planning Commission; see Section 200-B which states: “Accessory buildings which, in total, have greater than 3,000 sq. ft. in footprint...may be permitted as a Special Approval Land Use and a showing that the increase in building size is proportional to the increase in lot size.”



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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 requirements applicable to the Special Land 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 Section 2202 of the Zoning Ordinance will be referenced individually later in this report.

I. The general description of the surrounding properties is as follows:

- A. The parcels adjoining on the north, south and to east across Romeo Plank Road are zoned R-1 and developed for single family purposes on acreage parcels.
- B. The parcels to the west are zoned R-1 and contain an undeveloped/landlocked parcel adjoining the west line and north adjoining the landlocked parcel is a residential development with parcels approximately 11 acres, on a private drive with addresses on 30 Mile Road.

II. The site plan sketch submitted indicates the following:

- A. The subject property is provided with 362.4 ft. of frontage on the west side of Romeo Plank Road and extends for a depth of 1328.65 ft.; for a total site size of **11.119 acres**.
- B. The parcel presently contains a single family residence with an existing barn. The house is setback approximately 500 ft. from the centerline of Romeo Plank Road. The barn is setback approximately 150 ft. from the rear or west elevation of the existing residence and 20 ft. from the north property line.
- C. The proposed barn 40 ft. x 50 ft. (2,000 sq. ft.) would be attached to the east elevation of the existing barn and remain 20 ft. from the property line.
- D. The total square footage of accessory structures on the parcel would amount to 5,000 sq. ft. not including attached garage.
- E. The proposed addition would be approximately 280 ft. from the nearest existing residence (64115 Romeo Plank) to the north and in excess of 500 ft. from the residence at 64005 Romeo Plank Road.

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

- A. As noted above, Section 200-B of the Zoning Ordinance states: *“Accessory buildings which, in total, have greater than 3,000 sq. ft. in footprint...may be permitted as a Special Approval Land Use and a showing that the increase in building size is proportional to the increase in lot size.”*
- B. The increase of 2,000 sq. ft. to the existing barn as proposed would keep the total size of the accessory building within the limits of being in direct proportion to the total size of the parcel as provided for in Section 200-B.

Public Comment: Gail Brooks, 64011 Romeo Plank, spoke. She said she had no problem with the addition to the barn.

MOTION by Mr. Penzien to close the Public Hearing, supported by Mr. Zoccola. Motion carried.

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Mr. Hancock read correspondence from Bob Beckett, Building Official; He had no objections, but had concerns for the height of the building and eve to be considered if needed.
Mr. Bush stated he is using the barn for storage of cars and junk.

Recommendation of John Dailey and Jerome R. Schmeiser regarding the request for Special Land Use for “Barn Addition”;

As the Planning Consultants for Ray Township we have reviewed the application for the special land use permit for “Barn Addition” to be located on Parcel #: 05-18-400-002; 63991 Romeo Plank Road; Edwin R. Bush, Applicant.

Our recommendation is based on our opinion of how the use of subject property for an accessory building in excess of 3,000 sq. ft. comports with Sec 200-B of the Ray Township Zoning Ordinance and with the special land use standards itemized in Section 2202 of the Zoning Ordinance. Following you will find our opinion of how the proposed use conforms to each of the six 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 of Dailey/Schmeiser relative to Standard No. 1: The Application for SLU to use subject parcel for an additional 2,000 sq. ft. to service a residential use in a residential district as discussed above would be harmonious with the appropriate and orderly development of the surrounding neighborhood and/or vicinity, since the area is planned and zoned for Residential Development which would be consistent with the Township Master Plan and the Township Zoning Ordinance.

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 of Dailey/Schmeiser relative to Standard No. 2: The Application for SLU to use subject parcel for an additional 2,000 sq. ft. to service a residential use in a residential district as discussed above would be consistent with the R-1 District. The parcel in question is of sufficient size to accommodate the proposed use and has been designed with respect to access to the public right-of-ways to safely and efficiently move vehicles on and off the parcel with no impact on either vehicular or pedestrian traffic.

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 of Dailey/Schmeiser relative to Standard No. 3: The Application for SLU to use subject parcel for an additional 2,000 sq. ft. to service a residential use in a residential district 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 residences to the north are more between 280-500 feet away from the proposed addition and if operated within the

limits of existing township ordinances should have no negative impacts relating to noise, lights, fumes and other potential nuisance factors.

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. **No Comments Applicable or Related to the Request.**

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 of Dailey/Schmeiser relative to Standard No. 5: : The Application for SLU to use subject parcel for an additional 2,000 sq. ft. to service a residential use in a residential district as discussed above can and is designed to be operated in such a manner that the public health and safety would be adequately protected.

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 of Dailey/Schmeiser relative to Standard No. 6: : The Application for SLU to use subject parcel for an additional 2,000 sq. ft. to service a residential use in a residential district as discussed above would operate as a complement to future land uses permitted with said zoning district.

In summary the Request for Special Land Use Permit for “Barn Addition”; Parcel #: 05-18-400-002; 63991 Romeo Plank Road; Edwin R. Bush, Applicant should be **APPROVED** since the increase of 2,000 sq. ft. to the existing barn as proposed would keep the total size of the accessory building within the limits of being in direct proportion to the total size of the parcel as specified in Section 200-B of the zoning ordinance and further:

In the opinion of the Township Planners 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 approval should be approved subject to the following Conditions:

1. That all requirements of the Zoning Ordinance be met.
2. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.

Mr. Penzien discussed the height of the building and the size of the building for clarification with the Planners. He noted for the record this Planning Commission did consider the height of the building based on the drawing provided.

MOTION by Mr. Jarzyna to approve the request for Special Land Use Permit for “Barn Addition”; Parcel #05-18-400-002; 63991 Romeo Plank Rd.; Edwin R. Bush, applicant; for the following reasons:

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. Further, the approval should be approved subject to the following Conditions:

- That all requirements of the Zoning Ordinance be met.
- That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.

-Section 200-B of the Zoning Ordinance, which states: *“Accessory buildings which, in total, have greater than 3,000 sq. ft. in footprint...may be permitted as a Special Approval Land Use and a showing that the increase in building size is proportional to the increase in lot size.”* The increase of 2,000 sq. ft. to the existing barn as proposed would keep the total size of the accessory building within the limits of being in direct proportion to the total size of the parcel as provided for in Section 200-B.

Motion supported by Mr. Penzien.

Roll call vote:

Mr. Jarzyna: yes

Mr. Penzien: yes

Ms. Lascoe: yes

Mr. Lease: yes

Mr. Zoccola: yes

Mr. Hancock: yes

Motion carried 6-0.

7. Presentations – none

8. Report of the Township Board Representative – none

9. Report of the Zoning Board of Appeals Representative – none

10. Correspondence – Kelly Timm, Assessor, re: OMO Farm LLC Wetlands Parcels

Mr. Hancock read a letter dated August 9, 2016 received from Ms. Timm regarding OMO Farm LLC Wetlands Parcels in response to the Planning Commission Request. (Letter available upon request).

11. Comments Planning Consultants; report from Planning Consultants

Mr. Dailey briefly presented the report for July, 2016, welcoming any questions or comments from the Planning Commission.

Mr. Penzien inquired about 27 Mile/North Avenue. Mr. Dailey stated the preconstruction meeting was this week and the project is on its way.

The Kukuk matter was discussed; it is currently in Circuit Court.

Chairman Hancock mentioned he would not be in attendance at the next meeting. Mr. Penzien will be chairing the meeting.

12. Public Comments - none

MOTION by Ms. Lascoe to adjourn the meeting at 8:03 p.m., supported by Mr. Jarzyna. Motion carried.

Tom Hancock, Chairman

Lori Lascoe, Secretary

Date

Respectfully submitted, Marcia Jamroz, Recording Secretary