

RAY TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES  
TUESDAY, FEBRUARY 13, 2018 AT 7:00 P.M.  
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Location: Ray Township Hall  
64255 Wolcott. Ray, MI 48096

Present: Tom Penzien, Vice-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 – January 9, 2018  
**MOTION by Marberg supported by Lease to approve the January 9, 2018 minutes as presented.**  
**MOTION carried.**
3. APPROVAL OF AGENDA-  
**MOTION by Forro supported by Lease to approve the agenda as presented.**  
**MOTION carried.**
4. SCHEDULED PUBLIC HEARINGS – None.
5. NEW BUSINESS. – None.
6. OLD BUSINESS.  
A. Special Land Use Application, Church in the R-1 (Agricultural-Residential) District; Located at the southeast corner of Romeo Plank and 28 Mile Road. Part of Parcel ID 05-29-100-031, Faith Baptist Church, Petitioner. – Tabled from January 9, 2018.

Chairman Penzien stated the minutes reflect the public hearing that was held at the last meeting. He explained the applicant agreed to having the item tabled to try to address the neighbors concerns. Further thanked the applicant and the representatives for their time and resources to try to address the concerns.

Jack Dailey, Planner presented his findings of February 13, 2018. They are as follows:

The Planning Commission at its meeting of January 9, 2018 voted to table the above referenced item to the February 13, 2018 meeting in order for the applicant to consider revisions to the site plan to address concerns expressed by neighbors. Further, the Commission requested a comment from the Township Assessor as to the impact on value of the abutting residences by the location of a church on subject property. The applicant has made specific revisions to the site plan which will be discussed below. The opinion letter from the Township Assessor has also been submitted for the review of the Planning Commission.

SITE LOCATION MAP



On January 11, 2018 the planners and township representatives met with the applicant's development team to discuss potential revisions. The revisions discussed included:

1. Removing the landscape berm along the east line of the proposed parking lot and relocating trees near the east property line.
2. Extend the berm along the south line of the proposed parking area further to the east.
3. The proposed church drive and de-cel lane be moved to the north in an attempt to remove the taper for the de-cel from the frontage of the adjoining parcel to the south.

The revised plan as submitted includes revisions relating to items 1. and 2. above but the drive location was not adjusted. However, the applicant has provided an added storm structure near Romeo Plank Road and 12" corrugated metal pipe to accept the drainage from the existing swale that runs east/west. The neighbor to the south's existing open ditch that runs parallel to Romeo Plank will be removed and receive 24" pipe and continue south past the exiting drive to insure positive drainage and eliminate the open ditch along the road frontage past their drive.

With respect to the trees along the east property line; the applicant proposes two rows of Arborvitae (3-4') in height extending from the southeast corner of the site north along the east property line 140feet. It is the opinion of the planners that the trees as proposed would better serve both the church property and the adjoining property owner to the east by planting one row of evergreen trees beginning at the rear elevation of the existing residence and extending south for a distance of 150 feet. The trees should be a combination of evergreens consisting of pines and spruce. We would suggest the pines and spruce be planted 15 feet on center extending from the south elevation of the existing structure.

It should be noted that the Township Engineer, Lyle Winn of AEW has reviewed the plans and has advised the Planning and Zoning Department that his firm is satisfied with the site plans as submitted with respect to drainage issues and access. It must be noted however that final engineering plans would be formally reviewed by AEW when final site plan approval is granted by the Planning Commission. Construction on-site cannot begin until AEW has completed such reviews.

Based on the above and subject to any further discussion at the meeting of February 13, 2018 the undersigned recommends that the Special Land Use and Site Plan to allow New Church Facility; Faith Baptist Church; Applicant (Parcel # 05-29-100-031) 11.116 Acres should be approved.

**In summary the Request for Special Land Use Permit for “a Church”; Parcel #: 05-29-100-031, Faith Baptist Church Applicant should be APPROVED based on the following:**

- 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 is designed to comply with the special requirements imposed by Section 1700-E as noted above.

Mr. Dailey recommended a berm along the south property line and placement of evergreen pines and spruce trees within twenty feet (20') of the east property line beginning at the rear elevation of the existing residence and extending south for a distance of 150 feet. Further suggested the pines and spruce be planted 15 feet on center extending from the south elevation of the existing structure.

Correspondences - *All correspondences are on file with the Planning & Zoning Department*  
2-8-18 Kelly Timm, Assessor.  
2-2-18 Lyle Winn, Township Engineer.  
2-1-18 Marty Self, M&J General Contracting.

Discussion was held on the landscape berm.

Mr. Dailey recommended Section 208 of the Fire Department be enforced and shall provide warning signs and lifesaving equipment, as follows: 1) Required sign – “Warning Deep Water” 2) Life ring with rope you can throw to the middle of the pond.

Discussion was held on the lighting on the site.

Pastor Troy Budreau stated the latest they would be on the site would be 9:30 p.m.

**MOTION by Lease supported by Forro to Approve the Special Land Use and Site Plan Application, Church in the R-1 (Agricultural-Residential) District; Located at the southeast corner of Romeo Plank and 28 Mile Road, Part of Parcel 05-29-100-031, Faith Baptist Church, Petitioner. This approval is subject to the following conditions:**

1. The parking areas are to be properly graded, drained, curbed and paved within one (1) years' time to the satisfaction of the Township Engineer.
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. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line to be planted with grass and trees and maintained.
4. The proposed drive to Romeo Plank Road must be approved by the Macomb Department of Roads and the Township Engineer with respect to exact location and all geometrics with respect to turning radii, lengths of tapers and proposed deceleration lane.

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5. The driveway to the parsonage must be modified to meet current geometric standards per the Township Engineer
6. 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.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount determined by the Township Engineer based upon the site improvements required as part of this approval be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed with two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two-year time period. The bond must be posted prior to receiving construction permits from the Township Building Department.
9. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
10. That the sign shall be placed as designated in the notes on the site plan. The proposed monument sign must be approved by the Township Building Official and Planner and meet the following minimum requirements; the sign shall be a minimum of 100 north of the entrance drive; the leading edge of the sign must be a minimum of 70 ft from the centerline of Romeo Plank Road; the sign shall not exceed 25 sq. ft. in area; not exceed 6 ft. in height and have a maximum ground clearance of two feet. Any changes must be approved by the Planning Commission. The lighting for the sign shall be indirect lighting.
11. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Engineer and the County Drain office. Soil Erosion permits shall be obtained through the Macomb County Public Works Commissioner
12. 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.
13. The Applicant shall meet with the Fire Department regarding the number and location of Knox Boxes to be posted on the site.
14. That the Township Engineer is satisfied that the engineering plans include:
  - Resolution of the location and grade for septic fields.
  - Water supply and hydrant location.
15. That the landscaping plans shall be submitted to note the extension of the berm along the South property line and placement of evergreen trees within twenty feet (20') of the East property line beginning at the rear elevation of the existing residence and extending south for a distance of 150 feet. The trees should be a combination of evergreens consisting of pines and spruce. We would suggest the pines and spruce be planted 15 ft on center extending from the south elevation of the existing structure.
16. That all requirements of the Zoning Ordinance be met.
17. Parking lot lights off at 10:00 P.M., allowing security and access lighting at the discretion of the church.
18. Applicant shall comply with Section 208 and shall provide warning signs and lifesaving equipment, as required by ray Township Fire Department the State of Michigan:
  - a. Required sign – “Warning Deep Water”
  - b. Life ring with rope you can throw to the middle of the pond.

The revised plans shall be submitted to the Building/Planning Department that reflect all amendments to the submitted plans as approved by the planning commission as noted in items 10, 15, 17 and 18 above. The amended plans will form the basis for the final engineering and building plans as submitted for review and approval.

Upon submission of the site plan bond as noted in item #8 above and notification from the Township Engineer that the engineering plans have been approved, a building department application can be submitted for plan review to the Township Building Official. When building plans have been reviewed and approved a building permit will be issued.

\* Please note that building department permit plan review fees, permit fees, inspection fees and performance bond are separate and must be paid at time of review and issuance. Building Department performance bond will be refunded after final inspection and approval by Building Official.

FOR THIS MOTION: Yes: Lease, Forro, Stier, Marberg, Penzien

No: None.

Absent: Banach, Zoccola.

MOTION carried.

#### B. Planning Commission By-Laws

Penzien asked the Commission to review page 4. Regarding informal or formal training session(s) within first year of initial appointment to the Planning Commission.

Discussion was held on the word attend or obtain for training.

Mr. Dailey stated he does his required training on the internet.

**MOTION by Forro supported by Stier to Amend the Planning Commission Bylaws for Section 3) F to Participate, as follows: "Participate in informal or formal training sessions within first year of initial appointment to the Planning Commission for which appropriation of funds have been approved by the Board."**

**MOTION carried.**

Penzien stated a quorum for the Planning Commission requires four members to conduct a meeting.

#### C. Discussion Capital Improvements Plan

Mr. Dailey requested the Capital Improvement plan remain on the agenda.

#### D. Discussion Dedicated Landscape

Mr. Dailey requested the Dedicated Landscape remain on the agenda. Further stated he and his partner need to have a meeting with the Township Engineer.

7. PRESENTATION: None.

#### 8. REPORT OF THE BOARD REPRESENTATIVE:

Stier stated the Planning Commission meeting for May 8<sup>th</sup>, 2018 would be held on Tuesday, May 1<sup>st</sup>, 2018 due to the election.

Stier reported the Board approved the Zoning Ordinance Amendments from the January meeting and they have been published are in effect.

9. REPORT OF THE ZONING BOARD OF APPEALS REPRESENTATIVE: - There was nothing to report.

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10. CORRESPONDENCE

A. Seibert & Dloski, dated January 25, 2018 – Charter Township v Miller – RE: Medical Marijuana Act  
Penzien stated the Court of Appeals has authorizes registered caregivers to grow medical marijuana for their patients both indoors and outdoors without fear of imposition of penalties by a local government.

11. PLANNING CONSULTANTS REPORT.

Annual Report and Monthly Report

Penzien stated the report will be received and filed.

12. PUBLIC COMMENTS.

Lewellyn Umstot 16755 28 Mile Road stated he received the public hearing notice for the January 9<sup>th</sup>, 2018 meeting. Further stated the notice did not include the address of the parcel being considered.

13. ADJOURNMENT.

**MOTION by Stier supported by Lease to adjourn the meeting at 7:42 p.m.  
MOTION carried.**

\_\_\_\_\_  
Tom Penzien, Chairman

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Randy Forro, Secretary

\_\_\_\_\_  
Date

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