

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

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

Present: Tom Hancock, Chairman
Lori Lascoe, Secretary
Cynthia Banach
Joe Jarzyna
Justin Lease

Absent: Tom Penzien and John Zoccola

Also present - Lisa Hall, Building, Planning and Zoning Director; Jack Dailey, Township Planner; Harold DeMan, Fire Marshal.

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, Lascoe, Banach, Jarzyna, and Lease. Absent: Penzien and Zoccola.

2. APPROVAL OF MINUTES – January 12, 2016 – MOTION by Ms. Lascoe to approve the minutes from January 12, 2016 as presented, supported by Ms. Banach. Motion carried.

**3. APPROVAL OF AGENDA –
MOTION by Ms. Banach to approve the agenda, supported by Ms. Lascoe. Motion carried.**

4. SCHEDULED PUBLIC HEARINGS – none

5. NEW BUSINESS – none

6. OLD BUSINESS–

a. Status of the Master Plan – Ms. Hall stated the notification of publication date for the Master Plan Amendment will be in The Source, March 13, 2016 edition and The Record, March 15, 2016 edition.

b. Special Event Ordinance proposed language.

Chairman Hancock opened discussion regarding the proposed zoning ordinance amendment to the Commission. Ms. Banach stated she understands why we are proposing this Special Events Ordinance; but the people living in this area that hold family events, and own large parcels, why should they have to go through the whole process to hold these events, just for a family function. The rest of the Planning Commission agreed with Ms. Banach's comments. Discussion continued concerning all the required steps one has to go through for this application and permit. Mr. Dailey said the steps for any party affected by the proposed ordinance were carefully considered; mainly for safety purposes. Ms. Lascoe advised she discussed this proposed Ordinance with Mr. Bohm, and said if someone is hosting an event on their property, some notification to the Fire Department should be made, for safety purposes. Mr. Hancock asked how we can better distinguish in the ordinance between a family event and a commercial event, keeping in mind the residential property on 29 Mile Road where the person is hosting weddings on his residential property. Mr. Hancock asked how does Ray Township define "control special events" in this ordinance; and how do we better control the events without impacting obvious family/private events. Mr. Dailey suggested taking "family" functions AND "private events" out. Ms. Banach asked where the non-family large events can be held. Mr. Dailey said in the commercial districts only. Mr. Dailey explained special events can now be held in commercial areas only. Discussion continued if the person in violation goes through the process for these events, how can they be controlled; or if he does not follow the process. Mr. Dailey said if a property owner abuses the right, neighbors will complain, the Township will investigate and if warranted, the attorney will bring the matter to district court.

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The planners will be meeting with Attorney Siebert next week and will discuss this ordinance language further with him.

Mr. Dailey said the Commission can proceed with the public hearing; the language can then be changed. He advised there was no rush with the ordinance, there was time for changes. It was discussed to change the language and take "private events" out. Mr. Dailey said at the public hearing we will see how the Board responds and how to proceed with the ordinance.

MOTION by Mr. Jarzyna to table the Special Event Ordinance Proposed language for further information on the matter until discussion with the Township Attorney, supported by Ms. Banach. Motion carried.

c. Approval of 2015 Ray Township Planning Commission Annual Report.

MOTION by Ms. Banach to approve the 2015 Ray Township Planning Commission Annual Report, supported by Ms. Lascoe. Motion carried.

7. Presentations - none

8. Report of the Township Board Representative – none

9. Report of the Zoning Board of Appeals Representative – no report available.

10. Correspondence – none

11. Comments from Planning Consultants; Report from Consultants attached.

Mr. Dailey summarized the Planners' Recommendations as presented in their document presented to the Board dated February 4, 2016.

- **Wetland Mitigation Bank:** 05-24-200-010 and 017; 60 acres on 29 Mile Rd. at Sec./Township line; **Niswander Environmental.** Mr. Dailey explained the aerial of properties in question to the Commission. Steven Niswander, the founder and principal of Niswander Environmental met with the consultants to discuss the proposals. Mr. Dailey explained the parcels are located in Section 24, Ray Township abutting Lennox Township where in the past year Mr. Niswander created 100 A of wetlands out of 133 A adjoining the parcel in question. On the subject property he proposes that 60 acres would create approximately 50 acres of wetlands. The Township Ordinance requires site plan approval. Mr. Niswander was advised to meet with DEQ and AEW in advanced of site plan submission in order that the plan as submitted does not create any flooding or other issues. The parcels will be graded so as to drain to protect against flooding, and if necessary provide for flood protection structures. After grading the parcels will be seeded with natural grasses and 40,000 trees. Mr. Niswander intends to file for site plan prior to July in hopes of accomplishing grading during dry months and have planting finished before winter. Mr. Dailey said Mr. Niswander would like to have a presentation to the community before the public hearing. Their surveyors have been sighted by neighbors and the Township offices have been notified by neighbors. They will keep the Commission updated on any changes.
- **Craig Schmeizer:** 20615 31 Mile Road; 05-04-400-012; Accessory Building; an application was submitted for a variance regarding the placement of a barn on the property, 30'x50'. The primary structure is set back approx. 1,000 from 31 Mile Road. The plan submitted would place the barn slightly in front of the existing structure because of the location of the existing propane tank. He has withdrawn his request for a Special Land Use after speaking with Mr. Beckett. He will be relocating the propane tank to accommodate the accessory building.

- **Tim Madurski** – 05-31-400-024; 2.06 acres; Mr. Madurski proposes to use parcel as home improvement, snow removal, lawn maintenance, etc. House would be converted to an office and he would build an accessory structure for equipment storage. He was advised to meet with Bob Beckett regarding the status of the existing structure and advised that a Special Land Use would be necessary for an accessory structure. A site plan would be necessary.

Ongoing-issues:

Lisa Hall said for accessory buildings the certificate of zoning compliance form is being used.

Cell-tower issues: - Mr. Dailey mentioned the Township has been receiving calls on the placement of cell towers. Mr. Dailey said they will again look into the language of the ordinance. Discussion continued regarding the location and placement of cell towers.

12. Public Comments – Planning Consultant Comments

- Mr. Jarzyna asked about private road specs: He asked if they should be in the Zoning Ordinance and the Master Plan. They are only in the Master Plan. Mr. Dailey said the width of each road should be in the Zoning Ordinance in addition to the Master Plan.
- Mr. Jarzyna asked for clarification about the propane tank issue on 27 Mile, and the setback. If the petitioner wanted to build his barn closer, what was the resolution? Mr. Dailey said the applicant withdrew his application to the ZBA, because he relocated the tank.
- Mr. Jarzyna asked about the proposed Landscaping Ordinance along major roads; and if any of the other Planning Commissioners had any comments on the proposed ordinance. Ms. Lascoe said she understood discussion of this ordinance would be discussed after the Master Plan Public Hearing, and after it was run past our attorney. Ms. Lascoe said she felt everyone liked the concept of the ordinance. Mr. Dailey concurred; he would like to first run the ordinance past Attorney Siebert, and give the Commission sufficient time for a chance to look at the proposed ordinance and examples presented in other communities.

MOTION by Ms. Lascoe to adjourn the meeting at 8:31 p.m., supported by Mr. Jarzyna. Motion carried.

Tom Hancock, Chairman

Lori, Lascoe, Secretary

Date

Respectfully submitted,
Marcia Jamroz, Recording Secretary