

RAY TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES  
TUESDAY, November 1, 2022, AT 7:00 P.M.  
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Location: Ray Township Hall  
64255 Wolcott, Ray, MI 48096

Present: Tom Penzien, Chairman  
Justin Lease, Vice Chairman  
Randy Forro, Secretary  
Justin Marberg  
Betty Youngblood  
Lori Lascoe

Excused Absence: John Zoccola

Also Present: Stephen Cassin, Township Planner  
Lora Maue, Planning and Zoning Clerk

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES & ROLL CALL.  
Chairman Penzien called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.
2. APPROVAL OF MINUTES – October 11, 2022  
**MOTION by Lascoe supported by Youngblood to approve the October 11, 2022, meeting minutes as submitted.**  
**MOTION carried.**
3. APPROVAL OF AGENDA  
**MOTION by Marberg supported by Forro to approve the agenda as presented.**  
**MOTION carried.**
4. SCHEDULED PUBLIC HEARINGS - None
5. NEW BUSINESS - None
6. Unfinished Business
  - a. Tabled from October 11, 2022, Meeting - Special Land Use to allow indoor storage buildings in the B-2 (General Business) zoning district. According to the Ray Township zoning Ordinance 36, Section 1302, D - warehousing and storage within a completely enclosed building may be permitted as a Special Land Use in the B-2 (General Business) District. 63249 North Ave, parcel ID 21- 05- 14- 476- 013; located on the West side of North Ave, between 29 and 30 Mile Roads, Section 14. VanOverbeke Storage LLC, Applicant.

Chairman Penzien stated the item was tabled from the October 11, 2022 meeting. He stated the applicant, Mr. VanOverbeke is present.

Steve Cassin, Planner, stated the Planning Commission received his recommendation dated October 3, 2022, at the October 11, 2022 Planning Commission meeting. He explained the application is for a special land use and at the October meeting Mr. VanOverbeke stated contractors renting the indoor storage would be allowed outdoor storage on the site. The matter was tabled to obtain the legal opinion from the Township Attorney. Further stated the Planning Commission must be assured that no additional outdoor storage will be on the property.

Chairman Penzien read page four of the October 22, 2022, meeting minutes into the record. He stated the Planning Commission needed clarification from the Township Attorney regarding the non-conforming use for the outdoor storage are to not be expanded.

Chairman Penzien read Township Attorney; Christine Anderson's comment dated October 24, 2022 into the record.

Jim Sarconi, Attorney with O'Reilly, Rancillo, PLLC, spoke on behalf of Mr. VanOverbeke. He stated the use as proposed will reduce the current non-conforming use of the property. He explained the detention pond and additional screening will reduce the available area for outside storage. He explained the outdoor storage allowed to the tenants of the new buildings would be limited to in between the new buildings. Further stated they understand the non-conforming use cannot be increased, this is an opportunity to allow indoor storage and decrease the outdoor storage.

Mr. VanOverbeke stated he will not allow anyone that is not a tenant to use any outside storage. He provided a handout to the Planning Commission members showing the site and how it will be used. Further explained the outdoor areas the tenants would be allowed to use would be between the buildings.

Forro stated the site is non-conforming. The proposed site plan with the buildings and the detention pond will not increase the non-conforming outdoor storage.

Mr. VanOverbeke stated the detention pond will push things further back from the road.

Lease asked if there will be any issues for the fire department with the parking areas.

VanOverbeke stated the blue areas shown on the drawing provided are common areas and there will be access for the fire department.

Lease asked Marberg if this will work for the fire department.

Marberg stated 24 feet access drive is enough.

Chairman Penzien read the Ray Township Fire and Rescue comment dated 10/2/22 into the record.

Chairman Penzien stated the Planning Commission has received the legal opinion from the Township Attorney and the new buildings will take up a lot of space and the non-conforming use will not be increasing.

Lease stated it will not be increasing the nonconforming use.

Lascoe stated the drawing that was provided clarified the site plan.

**MOTION by Marberg supported by Lease to approve the Special Land Use to allow indoor storage buildings in the B-2 (General Business) zoning district at 63249 North Ave, parcel ID 21- 05- 14- 476- 013; located on the West side of North Ave, between 29 and 30 Mile Roads, Section 14. VanOverbeke Storage LLC, Applicant. This approval is contingent upon meeting all Township engineering, building, assessing and fire department requirements and no increase to the non-conforming outdoor storage.**

**FOR THIS MOTION: YES: Marberg, Lease, Forro, Youngblood, Lascoe, Penzien.**

**No: None**

**MOTION carried.**

7. Presentation - None

8. Report of the Township Board Representative

Lascoe reported the Clerk's office will be open on Saturday, November 5, 2022 from 8:00 a.m. to 4:00 p.m. to register to vote or obtain an absentee ballot. The polls will be open on Tuesday, November 8, 2022 for the state general election at 7:00 a.m. until 8:00 p.m. for voting.

9. Report of the Zoning Board of Appeals Representative

Penzien reported the Zoning Board of Appeals had a meeting on October 25, 2022, the applicant had a unique situation and could not meet the 4:1 width to depth ratio and was granted a variance.

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10. Correspondence - None

11. Planning Consultants Comment - None

12. Public comment – None

13. Adjournment

**MOTION by Lascoe supported by Forro to adjourn the meeting at 7:37 p.m.**

**MOTION carried**

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

\_\_\_\_\_  
Randy Forro, Secretary

\_\_\_\_\_  
Date

Lisa Hall, Recording Secretary