

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, June 13, 2023, 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
John Zoccola

Also Present: Stephen Cassin, Township Planner
Lora Maue, Planning and Zoning Clerk
Harold DeMan, Jr., Fire Inspector

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 – April 11, 2023
**MOTION by Marberg supported by Forro to approve the April 11, 2023, meeting minutes as submitted.
MOTION carried.**
3. APPROVAL OF AGENDA
**MOTION by Lascoe supported by Zoccola to approve the agenda as presented.
MOTION carried.**
4. SCHEDULED PUBLIC HEARINGS –
 - a. Special Land Use to allow a private road with 7 parcels. Private roads regulated by Section 2500 of the Ray Township Zoning Ordinance, Parcel ID 21-05-19-100-003, 15550 29 Mile; located on the south side of 29 Mile, west of Romeo Plank, Section 19. Antonio Virelli, Applicant

Chairman Penzien explained the public hearing procedure and asked if the applicant was present.

**MOTION by Zoccola supported by Youngblood to open the public hearing at 7:03 p.m.
MOTION carried.**

Steve Cassin, Township Planner provided his report to the Commission for the Special Land Use request as follows.

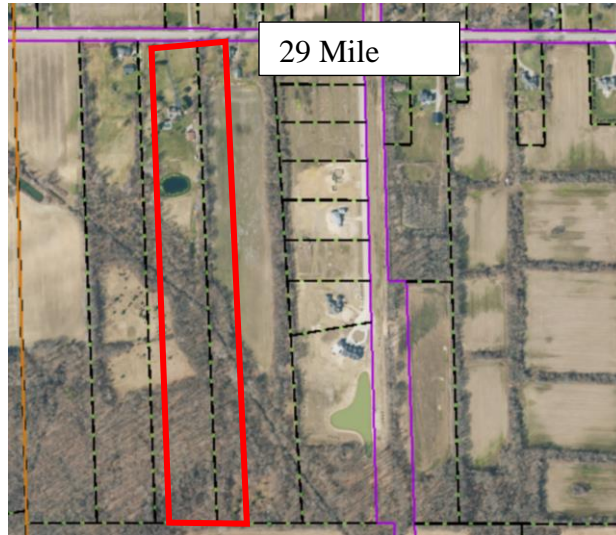
Special Land Use Review

Zoning: R-1, Agricultural Residential
Location: Southside of 29 Mile Road, west of Romeo Plank
Property ID: 21-05-19-100-003
Project Name: Portofino Estates: Private Road and Single-Family Development
Property Size: 28.6 acres
Applicant: Antonio Virelli
Review Date: May 16, 2023

Proposal

The subject property currently contains a single-family home and two accessory structures. In addition, the Healy Brook Drain traverses the property.

The applicant desires to demolish the existing structures and construct a 1,200-foot-long private road. The property will be divided into seven residential lots. Six of the developable lots would be on the east side of the private road, and the seventh would be on the far southern portion of the property.



Compliance with the Zoning Ordinance

Section 403 of the Ray Township Zoning Ordinance allows private roads in the R-1 Residential Agricultural zoning district subject to special land use approval. In addition, Section 2500 requires that several general conditions be adhered to receive approval from the Planning Commission. They include:

- The owners of any lot, outlot, or parcel of land fronting upon said private road, or using the same for ingress and egress, shall own an undivided property interest herein.

Assurances must be obtained from the applicant that this provision will be met.

- The private road shall be officially named as approved by the Township, and all-weather road signs, which comply with Macomb County Department of Roads standards and specifications, shall be erected.

Assurances must be obtained from the applicant that this provision will be met.

- All land divisions shall conform to the State of Michigan Land Division Act and all applicable regulations of the Township.

Upon review of the site plan, the regulations of the Act appear to have been met.

- All necessary construction permits shall be obtained from the Macomb County Department of Roads and all other applicable agencies prior to the roadway being constructed.

Assurances must be obtained from the applicant that this provision will be met.

- All lots abutting a private road shall only have access to the private road unless there is an existing access drive that is utilized for an existing structure.

The proposed site plan complies with this requirement.

In addition, the Zoning Ordinance provides several design standards which must be met.

- A private road shall not be allowed if it abuts or is adjacent to a separate parcel whose owner is not a joint applicant.

Not applicable

- A private road shall not be permitted on a section or ½ section lines unless the Macomb County Department of Roads and Ray Township have determined in writing that a public road at that location is not required.

Not applicable

- All private roads shall have a minimum right-of-way or easement as established by the Zoning Ordinance and Master Plan.

A right-of-way width of 60 feet is proposed, which is compliant.

- The maximum length of any private road shall be 2,640 feet.

The length of the proposed road is 1,200 feet, which is compliant.

- A cul-de-sac shall have a minimum radius of 44 feet.

The proposed cul-de-sac has a radius of 44 feet, which is compliant.

- A boulevard entrance shall be provided for any road over 800 feet in length. The maximum length of the boulevard without a break shall not exceed 100 feet. Such boulevard shall be landscaped and shall be included within the road's maintenance agreement.

A boulevard has not been provided. The site development plan will need to be revised to reflect this requirement.

- The intersection of the private road and the abutting road shall be at 90-degree angles.

The proposal is compliant with this requirement.

- The placement of the private road shall allow for the development of building sites, meeting the requirements of the underlying zoning district.

The seven buildable lots comply with the area and setback requirements of the R-1 zoning district.

- A 20-foot landscaped greenbelt shall be provided along all exterior roadways. A complete landscape plan for the entire development shall be permitted.

The proposal is compliant with this requirement.

- A minimum of four (4) trees shall be planted outside of and parallel to the private road easement for each lot.

The landscape plan proposes four (4) trees per lot, which is compliant.

Special Land Use Approval

In addition to compliance with the above-referenced requirements, the Planning Commission prior to granting Special Land Use Approval, must also find that each of the following special land use standards are met.

- The proposed special land use will be of such location, size, and character that it will be in harmony with the appropriate and orderly development of the area.

The 7-parcel single-family development would be compatible with the area.

- The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved.

The amount of traffic generated from the development would be minimal.

- The proposed use will be designed so that the location, size, intensity, site layout, and periods of operation eliminate excessive nuisances to surrounding areas.

Single-family homes typically do not create excessive nuisances.

- The proposed use will be such that the location and height of buildings or structures will not interfere with or discourage appropriate development in the area.

The development will comply with zoning ordinance requirements relative to size, height, and setbacks.

- The proposed use is so designed, located, and proposed to be operated that public health, safety, and welfare will be protected.

No adverse effects on health, safety, and welfare are anticipated.

- The proposed use will not cause substantial injury to the value of other property in the area.

The 7-parcel single-family development would be compatible with the area.

Recommendation

Subject to assurances being obtained by the applicant on several of the items listed above, and a boulevard entrance being provided, I find that the request complies with the requirements of the Ray Township Zoning Ordinance and recommend approval.

Chairman Penzien stated the Planning Commission received correspondences regarding the special land use. They were read into the record as follows:

Correspondences:

05/23/2023 Macomb County Health Department
05/16/2023 Building Official
05/23/2023 Macomb County Department of Roads
05/18/2023 Macomb County Department of Public Works
05/06/2023 Fire & Rescue
05/16/2023 Township Engineer, Anderson, Eckstein & Westrick
05/23/2023 Township Assessor

Steve Burson stated he is concerned about the water supply since his property is in the area.

Alex, stated he is concerned about the change in scenery and the noise levels.

**MOTION by Zoccola supported by Lease to close the publish hearing at 7:12 p.m.
MOTION carried.**

Chairman Penzien asked if the boulevard entrance is a Zoning Ordinance requirement.

Mr. Cassin stated a boulevard entrance is a requirement.

Pete Snyder, the Petitioners Engineer from Urban Land stated he will revise the site plan to include the entrance boulevard. Further stated he has a plan with the boulevard entrance.

Discussion was held on wells and water supply.

Tony Virelli stated he did hire a well company to do the drilling for Cutro Estates (east of proposed Portofino Estates) and the wells are 100 feet deep and get 60–70 gallons per minute.

Discussion was held on the 2018 International Fire Code and the Township Zoning Ordinance in regards to the size of the cul-de-sac and width/depth of the road.

MOTION by Lease supported by Zoccola to approve the Special Land Use request to allow a private road with 7 parcels. Private roads regulated by Section 2500 of the Zoning Ordinance, parcel ID 21-05-19-100-003, at 15550 29 Mile; Antonio Virelli, Applicant. The approval is subject to the site plan being revised to include the required boulevard entrance, to meet with the Fire Department to meet the requirements of the 2018 International Fire Code, and all requirements of the Township Engineer, Building Department, Assessor, and all Macomb County requirements relative to roads, drainage and septic are met.

**FOR THIS MOTION: Yes: Lease, Zoccola, Penzien, Forro, Marberg, Youngblood, Lascoe
 No: None**

MOTION carried.

5. NEW BUSINESS - None

6. Unfinished Business

a. Master Plan Discussion

Mr. Cassin stated the Master Plan is being prepared and the rough draft will be ready in about 30-60 days for the Planning Commission to review.

7. Presentation – None

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8. Report of the Township Board Representative
Lascoe reported at the Township Board meeting on May 28, 2023, the Township became a Purple Heart Community. Lascoe further stated the Recreation Committee has been working on Ray Day which will be held on June 25, 2023 from noon to 4:00 p.m.
9. Report of the Zoning Board of Appeals Representative – Nothing to report
10. Correspondence
 - a. Armada Township, Notice of Intent to Conduct Master Planning – they will begin their master plan study.
11. Planning Consultants Comment
Mr. Cassin stated he attended the Michigan Township Association Conference. He further stated there were a couple items pertaining to planning. He reported the State is looking to take control of sand and gravel mining and short-term rentals from local communities.
12. Public comment – None
13. Adjournment
MOTION by Forro supported by Lease to adjourn the meeting at 7:45 p.m.
MOTION carried.

Tom Penzien, Chairman

Randy Forro, Secretary

Date

Lora Maue, Recording Secretary