

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF MARCH 13, 2007**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Chairman Tucker called meeting to order at 7:04 p.m.

Present: Carlson, Franz, Ochodnick, Richard, Root, Spees, Tucker

Recording Secretary McDonald

Absent: None

APPROVAL OF AGENDA:

Motion to approve the agenda

Motion by: Tucker

Seconded by: Root

Ayes: All

Nays: None

Absent: None

Motion carried

NEW BUSINESS:

SP07-001 Peter Beer, Pheasant Run Apartments, LLC, 18700 West Ten Mile, Southfield:

06-24-100-022

1500 North Towne Commons Blvd.

Modification: change the type of ownership from rental units to condominium units

Secretary Carlson reviewed file, Peter Beer was sworn in, he explained his request to convert the rental units to condominium units. Beer said this change is request to address the downturn in the economy and the increase in the sewer use fees. Beer noted that the sewer use fees are more costly than the taxes would be on the 192 units. He said it is his desire to bring in investors that will purchase the units in blocks. Chairman Tucker called for audience comments. Beth Redmond, Assessor asked if they are going to convert all of the units at once. Beer stated it will be done in phases depending on the sale. She asked if there would be any modifications to the buildings. He responded that there would be no modifications to the footprint. There will be some cosmetic changes including landscaping. Richard stated concerns about Beer's ability to sell the units and asked how many of them are occupied to date. Beer said about 80%. Carlson asked about utilities, she noted the master deed talks about the water and boilers being the responsibility of the association. Beer said there is no boiler system; each owner will be responsible for their own utilities with the exception of the well that services the entire development. Spees asked if the unit owners will have the ability to sublet their unit. Beer said that is a possibility, the documents restrict subleasing to a minimum one year term. Richard said there are too many inconsistencies in the documents to grant an approval. Beer stated two different people were working on the draft and the wrong documents were distributed. He submitted a new version of the master deed and by laws. Tucker stated the change is a positive one, however the Commissioners do not have sufficient time to review the documents submitted at this meeting. Tucker asked about the construction of a sidewalk along Fenton Rd. to connect to the sidewalk required for the proposed bank south of this parcel. Beer said there are wetlands in that area, but a boardwalk could be approved. Root asked if there would be garages. Beer said the carports will remain and will be sold with the units as limited common elements. Spees asked if Beer would be open to dedicating a 50' road easement. Spees said he would contact Genesee County Road Commission regarding an easement.

Postponed in order for the Commission to review the master deed and by laws

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NEW BUSINESS:

SP07-002 Jerry Tomczak, Rhoads & Johnson, 101 N. Alloy Ste. A, Fenton:

06-12-100-027

1370 N. Long Lake Rd.

Preliminary & final approval: D's Dogs

Secretary Carlson reviewed the file. Jerry Tomczak sworn in to represent Dennis Schaefer who was also present at the meeting. Tomczak explained request for site plan approval to construct a 20 X 24 foot building that will be D's Dog's a Chicago Style hot dog stand. He explained the location and noted the size and use will require a total of 7 parking spaces. He noted 9 on the plan with 5 new spaces and the utilization of 4 existing spaces. The plan is under the review of the Township for storm and sanitary sewer. The site does require a grinder pump and specifications will be submitted to the Township for review. They are proposing to use the existing well and detention area. The detention pond on the property is sufficiently oversized and will be able to handle the additional 6000 sq. ft. of impervious surface. Tomczak showed a rendering and explained the building will be constructed of brick, block and cedar. Chairman Tucker called for audience comments. Beth Redmond, Assessor asked if Schaefer is proposing to divide the property and build this on a separate parcel. Schaefer said the property will not be divided. Richard noted an existing asphalt drive accessing the property from Fenton Rd. Schaefer said the access proposed will be off of N. Long Lake Rd. where the entrance is to Creative Wood Products. He said he has no intention for access to or from Fenton Rd. Chairman Tucker called for audience comments. John Forbes, 2139 Wiggins asked about the size and the possibility of expansion. Tucker explained it is less than 500 sq. ft. and if the developer proposes an expansion of more than 600 sq. ft. he will have to obtain site plan approval. Ochodnicki asked if the business is proposed to be seasonal, how it will be lit and if hours of operation have been established. Schaefer said he plans to operate all year, the lighting will be wall mounted and the building will have lit canopies. He added hours of operation have not yet been established. Root stated concerns about the location of the parking in the front of the building and noted he would like to see a lighting and landscape plan. Ochodnicki asked about a target date for opening. Schaefer said his target is National Hot Day – July 4th. Tucker stated his concerns about the sign and its construction. Schaefer said it meets the requirements for a wall sign and will be constructed as such. Tucker said there is not enough information for a final approval, the applicant must show the lighting proposed and present a landscape plan showing a table of how the requirements have been calculated.

Motion to grant preliminary site plan approval

Motion by: Root

Seconded by: Ochodnicki

Ayes: Carlson, Franz, Ochodnicki, Richard, Root, Spees, Tucker

Nays: None

Absent: None

SP07-003 Capitol Realty Holdings, 140 E. Second St., Flint:

06-32-300-035

16379 Linden Rd.

Preliminary site plan: 2 unit site condominium

Secretary Carlson reviewed the file. John Pavone, 19191 Seymour Rd. sworn in. Pavone explained he is representing Fer-Rah LLC. and Capitol Realty in this request to divide this 2 acre parcel into 2 – 1 acre lots under the guidelines of the condominium act. He explained this lot is necessary to create a drain for the Fox Run property over 1,000 ft. to the north. Pavone said the problem is the lack of a county drain to handle the run off from Fox Run. The property is basically divided in half were drainage is concerned. Half drains to the east and half to the west. In absence of a county drain the developer is being required to make improvements to the ditches along Linden Rd. to the subject property and down Lobdell to Hogan and north on

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Hogan. Pavone explained the improvements will be costly and will benefit the Township. He said having these 2 building sites will help offset those cost. Pavone explained that when he came to the Township office to divide the lot he was told there were no land divisions granted. Pavone noted the lots to the north of this property are all 1 acre in size. He asked that the Commission grant preliminary and final approval of the 2 units. The southern unit will have a 30 ft. drain easement to take water from the ditch on Linden Rd. to the wetland in Fox Chase Farms. Chairman Tucker called for audience comments. There were none. There was discussion about the units meeting the minimum land area. The Commission stated that as a policy road right of way cannot be included. They questioned including the drain easement and noted at a minimum no part of the easement should be located within the building envelope. The Commission postponed this request to talk with the Zoning Administrator about these concerns and other options for this parcel.

Postponed

CORRESPONDENCE: Request for extension Ramblewood of Fenton, final approval for Phase I was granted in August of 2005, it will not expire until August of 2007.

Motion to grant a 1 year extension of the final site plan approval for phase I of Ramblewood of Fenton the approval will expire in August of 2008

Motion by: Root

Seconded by: Carlson

Ayes: Carlson, Franz, Ochodnick, Richard, Root, Spees, Tucker

Nays: None

Absent: None

Dates for upcoming workshops: Time - 6:30 p.m. Dates – 3-20-07, 4-17-07, 5-15-07
Remember the regular April meeting will be on the 3rd which is the **first** Tuesday

MINUTES: February 13, 2007 stand approved as submitted

ADJOURN: 9:05 p.m.

John Tucker, Chairman
Minutes Posted 03/23/07

Sandra Carlson, Secretary