

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF JUNE 12, 2007**

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

Chairman Tucker called meeting to order at 7:09 p.m.

Present: Carlson, Franz, Root, Spees, Tucker

Recording Secretary McDonald

Absent: Ochodnicky, Richard

**APPROVAL OF AGENDA:**

Motion to approve the agenda

Motion by: Tucker

Seconded by: Root

Ayes: All

Nays: None

Absent: Ochodnicky, Richard

Motion carried

**ANNUAL REVIEW: Tee Bone'z Special Use Permit**

Chairman Tucker explained this permit has been reviewed on a yearly basis since 2005, it is an opportunity for the Township to make sure the applicant is compliance with the conditions of the permit and to give the public an opportunity to let the Township know if there have been any problems. Chairman Tucker called for audience comments. There were none. It was determine that the special use permit is valid and will be reviewed again in 2008.

**UNFINISHED BUSINESS:**

**SUP07-001 Mardell Landis, 11329 Tyrone Trail:**

06-02-576-020

2238 North Long Lake Rd.

Special use permit: Outdoor seating, the Fireplace

Secretary Carlson reviewed file. Mardell Landis sworn in explained that since the last meeting the Liquor Commission has granted approval pending final inspection and Field to Finish consulting firm has designed a site plan for the parking lot, the drainage improvements and a landscape plan, as the Planning Commission required. Tucker noted the letter from the Liquor Commission indicated the deck would be enclosed with a cyclone fence. Landis said the fence will black wrought iron as indicated on the site plan. Franz stated concerns about the cyclone fence and the contradiction in the letter with regard to height. Landis said it was her understanding that the requirements in the letter are minimum standards. The concrete block wall and wrought iron fence will be a total of 7-ft. in height. Franz asked if the Liquor Commission required cyclone to prevent a beverage from being passed through the fence. Landis said that would be unlikely because all of the establishments that have outdoor seating in the area do not use cyclone fencing. Chairman Tucker called for audience comments. The following people spoke: Roger Redick, 2088 Wiggins, James Patton, 2259 North Long Lk. and Jim Litten, 2247 North Long Lk. They reiterated their concerns about noise and suggested the owners do the other improvements and then request the special use permit. Redick stated concerns about expanding outside of what the C-2 zoning allows. Other concerns were policing any conditions the Commission can place on the permit and outdoor music being allowed in the future. Spees explained that this project has the potential to provide more benefit than harm to the community. He added he has been involved or witnessed several situations were the addition of an outdoor seating area has resulted in positive change. Spees noted he has heard

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the concerns of the neighbors, the proposed plan will improve the driveway and parking area, the single point ingress/egress will cut down on parking lot noise from vehicles and the dust, the landscaping will not only improve the esthetics of the property but it will help to buffer sound and the storm water management will improve the runoff into Barnum Lake. Spees stated he understands the neighbors concerns but feels the benefits of the project will outweigh the fear that this will increase the noise and other negative aspects mentioned. Spees added that when petitions are circulated, they can be bias, they are usually slanted in one way or an other and many times once people are educated about a project their concerns can be mitigated and many of their fears eliminated. Root concurred stating this is an opportunity for improvements and a positive outcome. Tucker noted the special use permit will be reviewed annually and it will be in the best interest of the owner to monitor it closely. Spees concurred.

Motion to grant a special use permit for outdoor seating with the following conditions:

- The permit is subject to an annual review
- Date of the permit shall be the date that outdoor seating area is permitted to be occupied
- Patio shall not be occupied until the site plan is complete or a performance guarantee is posted for landscaping to be completed this calendar year
- The outdoor seating area shall only be used between the hours of 11:00 a.m. & 10:00 p.m.
- The maximum occupancy of the outdoor seating area shall not exceed 40 persons
- Amplified sound outside the building is prohibited
- No cyclone fencing
- Plan shall comply with Lawrence review letter dated June 7, 2007
- Doors to the outdoor seating area shall not be propped open

Motion by: Root  
Seconded by: Carlson  
Ayes: Carlson, Franz, Root, Spees, Tucker  
Nays: None  
Absent: Ochodnicky, Richard  
Motion carried

**Amendment to Landscape Plan – Total Storage**

Chairman Tucker asked for the Commission to allow him to abstain because the applicant is one of his clients.

Motion to allow Tucker to abstain

Motion by: Root  
Seconded by: Spees  
Ayes: All  
Nays: None  
Absent: Carlson, Ochodnicky  
Abstain: Tucker  
Motion carried – Tucker left the room

Gary Becker, Total Storage, 3330 Thompson Rd. sworn in. Becker explained the site plan is complete as requested by the Commission and addresses issues and concerns from the last

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meeting. The new plan includes landscape plan and the relocation of the outdoor storage area. Chairman Tucker called for audience comments. There were none.

Motion to approve the landscape plan as presented with the condition the landscaping be complete within 30 days

Motion by: Root

Seconded by: Franz

Ayes: Carlson, Franz, Root, Spees, Tucker

Nays: None

Absent: Ochodnicky, Richard

Motion carried

**NEW BUSINESS:**

**SUP07-002 Webasto Product North America, Inc., 15083 North Rd:**

06-26-100-007

Special use permit: light fabrication

Secretary Carlson reviewed the file. Craig Bailey, Director of Operations, Webasto Product North America, Inc. sworn in explained request for a special use permit for a brazing oven and supporting line to produce a cooling product for automobiles and trucks that will allow cooling to happen even when the vehicle is not idling. This process will create 30 + jobs and there will be a possibility of the addition of a second shift. Carlson asked about traffic and parking. Bailey explained the additional parking was approved as future parking when the original site plan was approved. As far as traffic in and out of the business, the increase will be minimal. The Commission complimented Webasto as a welcome and positive new business in the Township. Chairman Tucker called for audience comments. There were none.

Motion to grant a special use permit for light fabrication in the C-3 zoning district as requested

Motion by: Carlson

Seconded by: Tucker

Ayes: Carlson, Franz, Root, Spees, Tucker

Nays: None

Absent: Ochodnicky, Richard

Motion carried

**SP07-007 Clifford Scarberry, 9204 Valley View:**

06-23-100-008

14219 Torrey Rd.

Preliminary site plan: commercial building

Secretary Carlson reviewed the file. Brian Romska, Field to Finish Land Surveying, Civil & Structural Engineering sworn in to represent Scarberry who was present at the meeting. Romska explained the area, surrounding zoning and request for a building that will be office/retail space for lease. Chairman Tucker called for audience comments. There were none. Franz asked for further clarification of the location. Romska said the parcel in just north of the Century 21 building, there is an existing building on the property proposed to be split off, that building is occupied by Dibbleville Woodworks at this time. Root asked if the existing and proposed buildings would share a driveway. Romska said a shared driveway is proposed. Carlson stated concerns about parking, stating that with the use of the building unknown, it is impossible to calculate parking. Root stated concerns about the south boundary set back.

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Tucker noted that the proposed plan does illustrate the minimum requirements for preliminary approval but noted granting preliminary approval does not make any guarantees about the final approval. Tucker made this observation, the size of the building proposed does not seem feasible. The plan must comply with storm water management or landscaping ordinances. Tucker also noted the applicant needs to look at the design standards for commercial buildings and will need to provide a floor plan. Spees added they will need to address the façade of the building in more detail. He also stated concerns about the size of the building and making all the required improvements he noted the minimum information for preliminary is on the plan with the exception of the height and dimensions, however preliminary approval is no guarantee of a final approval. Carlson concurred.

Motion to grant preliminary site plan approval as requested

Motion by: Root

Seconded by: Franz

Ayes: Carlson, Franz, Root, Spees, Tucker

Nays: None

Absent: Ochodnicky, Richard

Motion carried

**New marina facility for the Loyal Order of Fenton Moose, 2247 Sonora:**

06-11-527-002

Township Lake Activity Regulations (Ord. 418).

Chairman Tucker explained that the Fenton Moose applied to the DEQ to replace an existing seawall, when they made application the DEQ noted that because the property is zoned commercial and has docking, it is, by definition, a marina. This request is to be in compliance with the DEQ's requirements for the existing dock operation and the Township Lake Activity Regulation Ordinance. Secretary Carlson noted a letter from the Lake Fenton Property Owners objects to any new marinas, however if conditions were imposed to insure that the docks would remain as they have in the past, only to serve the customs of the Moose, the request is not unreasonable. Chairman Tucker called for audience comments. George Dyball, 2462 Crane Wood, stated the LF Property Owners support the request for the Moose to be able to operate as it is and has in the past. They asked for conditions to include no overnight mooring, no boat launching facility and no more the 12 boats moored at one time.

Motion to approve a marina for the Loyal Order of Fenton Moose at 2247 Sonora with the following conditions:

- Overnight docking or mooring of watercraft is prohibited.
- Public or private access launching of watercraft at the facility is prohibited.
- The maximum number of watercraft allowed to be temporarily docked or moored at the facility, at any one time, shall not exceed 12.

Motion by: Spees

Seconded by: Franz

Ayes: Carlson, Franz, Root, Spees, Tucker

Nays: None

Absent: Ochodnicky, Richard

Motion carried

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Request for an extension of the approved preliminary site plan for Enclave at Crystal Pointe.

Motion to grant a 1 year extension as requested

Motion by: Tucker

Seconded by: Root

Ayes: All

Nays: None

Absent: Ochodnicky, Richard

Motion carried

Dates for upcoming workshops: Time - 6:30 p.m. Date 6-19-07

<b>MINUTES:</b>	May 8, 2007	stand approved as submitted
	May 15, 2007	stand approved as submitted

**ADJOURN: 9:45 p.m.**

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John Tucker, Chairman  
Minutes Posted 06/22/07

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Sandra Carlson, Secretary