

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF OCTOBER 11, 2012**

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

Tucker chosen Chairperson Pro Tem

Chairperson Pro Tem Tucker called meeting to order at 7:00 p.m.

Present: Franz, Hemeyer, McGuirk, Richard, Tucker, Warren

Recording Secretary: Sharich

Also in attendance Doug Piggott, Zoning Administrator

Absent: Carlson

**APPROVAL OF AGENDA:**

Motion to approve agenda

Motion by: Tucker

Seconded by: Richard

Ayes: Franz, Hemeyer, McGuirk, Richard, Tucker, Warren

Nays: None

Absent: Carlson

Motion carried

**UNFINISHED BUSINESS:**

**PUBLIC HEARINGS:**

**SUP12-003 Charter Township of Fenton 12060 Mantawauka:**

Parcel 06-01-300-040 vacant property Thompson Rd.

Special use permit for a public park

Secretary McGuirk reviewed file. Township Clerk Robert Krug sworn in and explained the plan has been modified due to Planning Commission concerns stated at the rezoning hearing as well as other concerns raised, the plan now includes 4 baseball diamonds 2 of which can be used for softball and older children's baseball games, 4 soccer fields, 1 basketball court, 1 splash pad, with up to 8 pavilions to be requested in a future phase. This will be an alcohol and tobacco free zone and there will be no ground fires allowed. A maintenance shed is planned which will be equivalent to a 2 car garage. Closets are planned on the end of dugouts for equipment storage. There will be an outdoor student & music center. This park will be designated dawn to dusk with the entrance gated when not in use. There will be port-a-potties planned for now with possible future tank toilets or connection to sanitary sewer as it becomes available. Krug responding to concerns explained they have turned the music center to face in a different direction and the parking area has been moved from its originally planned placement to as far from the residence to the west as possible. They would like phase 1 of this project to be limited to the soccer fields and baseball diamonds. Krug added there will no tax dollars used this will only be constructed with donor monies. Tucker called for audience comment, the following spoke:

- Jack Unger 1265 Thompson Rd.
- Jim Burgess 1282 Rosalie Dr.
- Fritz Cheek 1343 Thompson Rd.
- Jim Miller 1361 Thompson Rd.
- Kathryn Unger 1265 Thompson Rd.
- Brian Schulz 12258 Fenton Rd.
- James Cady 1375 Thompson Rd.

Their comments were:

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- Irrigation concerns
- Tournaments – the use of the property for overnight stays
- Snowmobilers using the park illegally
- Amphitheater could be a noise problem
- After hour problems with people using the property while closed
- Need a master park plan
- Impact to Thomson Rd. needs to be addressed
- Existing natural features need to be considered
- Wetland determination needs to be done
- Berms do damage to both sites
- How will this project be resourced
- The entrance area floods in the spring
- Not in favor of berm
- Not in favor of sledding hill
- Concerned with the project getting started and never completed
- Storm water concerns – no further drainage can go onto adjacent sites
- Prefer drives to be paved
- Would like to have drive location changed

Township Engineer Allen Lawrence, Lawrence Engineering, stated he is donating his time for this and all issues related to this project. Lawrence addressed the concerns of the audience by stating there are regulated wetlands on this property that will be protected and addressed, there will be no walkways through the wetlands and they will seek all approvals from the County Water & Waste Div. for soil erosion then move forward with DEQ permitting and approvals. Lawrence stated there is a wetland delineation for the former PUD plan on this property which he is trying to locate. On the property there is a storm water structure in the wetland which is designed to release into a culvert which flows under Thompson Rd. He will be checking the County soils maps as well as all pertinent information at other levels. Lawrence stated he also is not in favor of a berm particularly on this site and will remove them from the plan. Tucker questioned the surface water drainage for this project, Lawrence stated they have done a surface water study and this project will not require any detention area but instead will release into the regulated wetland. Krug then explained that only one baseball field is the correct size for tournaments, noting that all uses will be controlled and this will be a dawn to dusk operation. Krug added this will be a free admission park and all cost to construct will be by volunteers. Tucker questioned the design of this park, Lawrence explained the plan has gone through 15 different renditions, at one time they tried to meander the drives through the park but that presented safety issues, all drives will not be hard-surfaced. Franz stated he is comfortable with the safety issues of the road being addressed adding the drain getting corrected will help the residences in the area. Warren questioned the maintenance of the park; Krug stated the groups using the park will do the maintenance. Richard noted landscaping along the residents property line should be arborvitaes because of their quick growth habit, he added that the residents to the north would probably rather have a park than a subdivision. Hemeyer questioned if the drain will be televised, Lawrence stated they will have it televised. McGuirk added that 98% of his concerns are drainage, Lawrence stated this has been the concern from the beginning that is why the project has been cut back from it's original concept and why they will continue to change things as needs arrive, noting this project will be phased in as development progress', the plan as of now is the maximum. Krug addressed the issue of seating noting the plan is to have 4 sets of bleachers for the baseball areas but none for the soccer areas because it is his understanding soccer parents like to bring their own chairs. Piggott helped guide the commission into how to accomplish approval of this project and at the

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same time taking into consideration the concerns of the public. Tucker asked if Krug could clarify the progress of this project if approved, Krug stated Lawrence Engineering will have the wetland determined, permitting done then the infrastructure will need to be completed. First the soccer and baseball fields will be constructed followed by basketball, Krug noted he would like to have kids playing there next summer. Tucker stated he is still seriously concerned with the drainage issues and he would like to see this project move forward as Phase I only, soccer and baseball with roadway and parking tweaking if necessary, then come back for remaining phase. Krug stated the purpose of the sledding hill at this time is for use of on-site dirt storage. McGuirk commented they can't move forward until some approvals are given, Warren agreed with the phased approach.

Motion to approve special use permit for a public park with the following conditions:

- Dawn to dusk operation
- No alcohol allowed on park property
- No overnight stays allowed
- No fire arms or weapons allowed on site
- No fires or grills
- No off-road vehicles allowed
- No lighting
- All drainage issues must be resolved

Motion by: McGuirk

Seconded by: Tucker

Ayes: Franz, Hemeyer, McGuirk, Richard, Tucker, Warren

Nays: None

Absent: Carlson

Motion carried

Motion to approve site plan for a public park with the following conditions:

- Project to be phased with phase I to include Soccer fields and Baseball diamonds and their respective accessory uses
- On-site stock pile of dirt allowed in sledding hill area of plan
- Driveway and parking areas developed
- Vegetative buffer augmenting existing buffer in the area to be determined by the Zoning Administrator and reviewed by the park committee with final review by the 4 property owners to the north
- Front entrance gated and locked at dusk
- Driveway permit from Genesee County Road Commission
- Wetland delineation and DEQ approval

Motion by: Hemeyer

Seconded by: Warren

Ayes: Franz, Hemeyer McGuirk, Richard, Tucker, Warren

Nays: None

Absent: Carlson

Motion carried

**NEW BUSINESS:**

**SP12-004 Stephen Munkers, 4482 Ford Ave:**

Parcel 06-21-400-013. vacant property Ripley Rd.

Site plan approval for Phase III of Liberty Shores Site Condominium

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Secretary McGuirk reviewed the file. Stephen Munkers, Developer, and Eric Heethuis, Engineer, sworn in Munkers explained he is representing Liberty Shores an approved 182 unit development zoned R-3. Munkers continued, explaining that due to the economics of the time he is required to revise Phase III of the development by reducing the off water lots from 60 to 6 large estate lots with water frontage which changes the lake lots in Phase III from 57 total lots to 54 lots. Tucker called for audience comment, there was none. Tucker questioned how the large acreage lots will access the water; Munkers stated that 3 lots will have direct access and 3 lots will have a dedicated limited element, noting there will be no principal structures allowed on the dedicated element. Tucker questioned if they intended to have the roads constructed to county specifications, Munkers stated they will. Tucker questioned the letter in the file from Fire Chief Volz, Munkers responded eventually they will build a bridge to access the properties across the wetland but in the mean time they will put in a hammerhead road ending. Munkers also explained they will construct a dry hydrant according to the specifications of the Fire Chief. Tucker stated that due to the nature of these changes the Planning Commission should grant both preliminary and final site plan approval.

Motion to approve preliminary and final site plan approval for Phase III of Liberty Shores Site Condominium with the following conditions:

- Applicant must address concerns and get approval from the Fenton Fire Chief
- Applicant must receive all approvals by other governing agencies including Township Engineer reviews and approvals

Motion by: McGuirk

Seconded by: Franz

Ayes: Franz, Hemeyer, McGuirk, Richard, Tucker, Warren

Nays: None

Absent: Carlson

Motion carried

**COMMUNICATION:**

Proposed 2013 Meeting Schedule – after careful discussion it was decided to leave meeting schedule as proposed.

**PUBLIC COMMENT & COMMUNICATION CONCERNING ITEMS NOT ON THE AGENDA:**

5 Minute Limit –

George Dybal, President of Lake Fenton Homeowners Association.

Dybal expressed his concerns of the pending Fenton Rd. project which has an approved plan by the Drain Commission and the DEQ to place a structure which collects storm water and disperses it into Lake Fenton. Dybal questioned if the Planning Commission could on any level have a review and/or denial of that storm water pipe. Tucker assured him that they have no authority over that project but that there were reviews done and approvals given by the governing authorities who do have jurisdiction.

**MINUTES:**

**ADJOURN: 10:38 pm**

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John Tucker, Chairperson Pro Tem

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James McGuirk, Secretary