

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF FEBRUARY 9, 2017**

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

Chairperson McGuirk called meeting to order at 7:03 p.m.

Present: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker  
Zoning Administrator: Piggott  
Recording Secretary: McDonald  
Absent: Warren

**APPROVAL OF AGENDA:**

Motion to approve the agenda as printed

Motion by: McGuirk  
Seconded by: Warren  
Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker  
Nays: None  
Absent: Warren

Motion carried

**PUBLIC HEARINGS:**

**R17-001 Ridgeway White, 13521 Haddon St. Fenton:**

06-23-530-026 vacant land south of Grove Park and west of Swanee Beach

Recommendation to rezone from R-3 to AG

Chairperson McGuirk reviewed the file. Ridgeway White, 13521 Haddon St. was sworn in. White described the location of the property and presented an aerial photograph illustrating the boundaries of the property noting it is made up of nearly 100 acres. He explained that it is his desire to preserve the property in its natural state. He noted the property is bounded by wetlands and forest. He said he would like to plant an apple orchard on the property and maybe sell the apples at local farm markets. He offered a condition to the AG zoning classification to restrict the use of the property for an orchard only. Chairperson McGuirk called for public comment. Roberta Hopkins, 14151 Swanee Bch., asked if the property was zoned wetlands. Tucker explained that it looks like there are some regulated wetlands on the property but wetlands is not a zoning classification. He told her the property is zoned R-3, single family residential. White noted the property is approximately 50% high dry land. She asked if the site would be served with sanitary sewer. White stated he plan to construct an accessory building and may run sewer to the building but that has not been determined at this point. She asked if the property would have access to Lake Fenton. Piggott explained there is no lake access included with this parcel. She also stated concerns about her ability to walk the property and the use of bee hives for pollination of the trees. Recording Secretary McDonald explained that another resident had called and sounds that there is confusion about this property having a conservation easement. She pointed out on the aerial photograph the conservation easement that is immediately west of this property between Fenton Creek and Woodview Dr. Gary Dowling, 14077 Woodview, voiced his support of the request and asked if he would still be able to walk his dog on the property. Larry King, 2379 Grove Park also supported the request and encourage the Township to rezone for this use rather than a housing development. Chairperson McGuirk read letter from Brent & Karen Heinecke, 2323 Grove Park, supporting the request and encouraging the Township to approve the request to protect natural resources and preserve green space. They stated the AG zoning, properly used, will protect the wetlands and wildlife and add to their properties value. Tucker asked White to demonstrate the location of the orchard. White showed an area in the center of the upland where he stated he would like to start with 2 rows of 25 to 50 trees. Tucker asked if White intended to build a primary residence on the property. White said he has no intention of building a residential structure on this property. Tucker noted in his letter of intent he mentioned having hayrides, a pumpkin patch and some farm animals. White said that may be in distant future however he is only asking to use the

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF FEBRUARY 9, 2017**

property for an orchard. Marko stated that in the material White submitted there is a reference to an accessory building, he asked if that would be allowed. Piggott explained that an accessory building could be allowed because it would be accessory to the use of the property as an orchard. Marko asked if White is planning to access the property from Grove Park and Swanee Bch. White noted he has 3 points of access from Grove Park however his desire at this time to access from Swanee Bch where he has already constructed a permitted driveway. Marko asked him about the use of bee hives. White said he did not plan on being a bee keeper, he is hoping nature will take care of itself. Tucker referred to references in the Future Land Use plan that talks about phasing out AG zoning over time. He explained that when the plan was done the thought was that most of the AG land would be consumed by development because that was the movement at the time. He added now "urban agriculture" is becoming more prevalent and there was even talk about the state government stepping in to provide guidelines for this use. He said that has not happened yet but the Commission does see that the plan needs to address this issue. Tucker stated he would be concerned about the use for animal farming because of the concentration of residences that abut the property. However he would support the use of the property for an orchard. Marko concurred.

Motion to recommend approval as a conditional rezoning to AG, Agriculture with the use restricted to an orchard providing the applicant put the condition in written form.

Motion by: Tucker

Seconded by: Marko

Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker

Nays: None

Absent: Warren

Motion carried

**NEW BUSINESS:**

**SP17-001 Jon Gebarowski, 1012 Oak Cluster Dr, Howell:**

06-03-200-027

3014 Thompson

Site plan amendment: seafood sales truck

Chairperson McGuirk reviewed the file. Jon Gebarowski, was sworn in. He explained his request to offer frozen seafood for sale from a truck at the north west corner of Thompson and Torrey Roads in the parking of Fenton Lanes Bowling Alley. He indicated the sales would take place approximately 4 hours day 2 days a month. He said the company, Oceanside Seafood, is a family owned business that has been in operation for 40 years. He noted because this would be a low impact use of the property as he anticipates no more than 2 vehicles at a time and each transaction usually only takes about 5 minutes. Marko asked about the site plan amendment and how it would impact the Township if this use is granted and the seafood company decides to leave the area. Piggott explained the Township attorney advised that allowing this to happen would require an amendment to the site plan approved for the bowling alley. He added if this amendment is granted the applicant still has to apply for a temporary out door use special use permit. The special use permit is an administratively approved permit based on objective standards. The permit will have specific time limitations and will only be good for a year at a time. Richard asked if the applicant knew what days of the week they would be using this location. Gebarowski said that has not been determined but he speculated it would be 2 week days from 1 to 5 pm. Chairperson McGuirk called for public comments. There were none. Richard stated the area of the parking proposed to be used is not used by the bowling alley and the proposal does not take up required spaces. Tucker asked that Piggott require the applicant to provide a schedule when they apply for the special use permit.

Motion to grant a site plan amendment to allow the use of the portion of the Fenton Lanes parking lot located at north west corner of Thompson and Torrey for Oceanside Seafood sales as presented.

Motion by: Hemeyer

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF FEBRUARY 9, 2017**

Seconded by: Tucker  
Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker  
Nays: None  
Absent: Warren

Motion carried

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

George Rizik, 9400 Saginaw Rd # E, Grand Blanc, explained he has been retained by Corlin Builders to help with research and obtaining easements for Sonora Dr. He pointed out they have run into difficulty with finding owners of the land as well as identifying gaps that appear in legal descriptions. He said it could take over a year to be able to fully develop the PUD plan that was approved and if the Commission would consider a final site plan approval for phase one of the project while they are working on these legal issues. He said phase one would include paving Ford St., putting in the storm water system and detention pond and upgrading the sanitary sewer pump station. Phase one would be the 6 attached units that front on Ford St. McGuirk asked about the area that must be reserved for emergency services and the turnaround. Rizik said that is all still in place. Hemeyer asked if they plan on installing the common dock area as part of phase one. Saab said the docks and all of the slips would be installed as part of phase one. McGuirk and Tucker agreed they would consider final approval of phase one if all of the infrastructure is completed in that phase and a performance guarantee is provided to the Township for the relocation, paving and maintenance of Sonora. It was the consensus of the Planning Commission that they would consider final site plan approval for phase one at their next regular meeting.

**COMMUNICATION:**

Chairperson McGuirk said that he has had conversations with the Township staff regarding the maximum size allowed for accessory buildings in AG zoning districts. He noted that the language in the ordinance limits the size of accessory to a maximum of 4500 sq. ft. in both agricultural and residential zoning districts. There was discussion about imposing the same standard in both zoning districts. It was suggested the Commission consider amending the ordinance to allow for a sliding scale of maximum size based on the size of the property in agricultural districts because there could be a need for larger agricultural buildings to support agricultural uses. Stating concerns about amending the ordinance for rare occasions Cypher noted an applicant could seek a variance if they need a building larger in size than the maximum (4500) allowed. Piggott stated the staff could do an analysis of the Township based on the size of vacant agricultural land and present a sliding scale that the Planning Commission could consider at the next meeting. The Commission directed Piggott to draft an ordinance amendment that they could consider at their next meeting.

Marko told the other Commissioners about a Planning Forum to be held at U of M, Flint by the Genesee County Metropolitan Planning Commission and asked if any other Commissioners are planning on attending. No one else was planning on going and Marko asked that McDonald let the Township know that he will attend.

**Updating the Future Land Use and Thompson Rd. corridor plans**

Piggott explained that it is the suggestion of the Township attorney that the Future Land Use plan be updated because even though the 5 year reviews have been done no changes have made since it was amended in 2006. He said he has met with the Township Supervisor who instructed him to provide a proposal for the work. He explained he has met with Township Engineer and North Arrow Technologies, the company that assists the Township with its Geographic Information System, and they will assist with the project to help keep the cost down. The Township Engineer has already done studies and collected data with regard to the Township infrastructure and North Arrow is equipped to do mapping and geographic analysis. He said this will help to reduce the cost to update the plan. He

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF FEBRUARY 9, 2017**

explained the Thompson Road Corridor sub area plan has already been incorporated into the land use plan so the update will cover both. Piggott then explained the scope of the project which will start with a kick off meeting that will include the Township Board, Planning Commission and Zoning Board of Appeals. He distributed a packet that included a projected time frame breaking the process into 4 categories. The first would be the community description which would take approximately 5 months to complete because much of the data is readily available and the current information just has to be updated. The second would be public engagement and the formation of the goals and policies. Then the plan development phase and finally the implementation plan. Piggott asked for input regarding the public engagement process explaining several options. The Commission chose to do stakeholder interviews, a public attitude survey and a master plan open house. He presented the Commission with some samples of a zoning and implementation plan and said there will be more information at the kick off meeting. The Commission thanked him and said they look forward to beginning the process.

**MINUTES:** January 12, 2017 stand approved as submitted

**ADJOURN:** 8:58 pm.

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Jim McGuirk, Chairperson  
**Minutes Posted 02/13/17**

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Donna Warren, Secretary