

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF JULY 12, 2018**

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

Chairperson McGuirk called the meeting to order at 7:05 p.m.

Present: Cypher, Marko, McGuirk, Mustola, Tucker, Warren

Recording Secretary: McDonald

Absent: None

APPROVAL OF AGENDA:

Motion to approve the agenda as written

Motion by: Tucker

Seconded by: McGuirk

Ayes: Cypher, Marko, McGuirk, Mustola, Tucker, Warren

Nays: None

Absent: None

Motion carried

PUBLIC HEARINGS:

R18-003 David Duffy, 800 Erie St., Flint:

06-11-200-030

2294 Sonora

Recommendation to rezone from R-3 to PUD, private boat club with living quarters for a single family above an office, 4 bay maintenance center and other boating related amenities.

Secretary Warren reviewed the file. David and Ruth Ann Duffy were sworn in. David began his presentation by stating that he and his wife had lived in the Township on Margaret Dr. He added he owns a company called Captain Dave's Boat Buddies. He said he has a passion for boats. He said he is a master captain and has been running a fuel business in Flint where he stores and winterizes boats his specialty is fall winter and spring - storing boats, winterizing and getting them ready for the summer. Ruth Ann explained she is and has been a cardiac nurse. She said she and David had sold the home on Margaret to pursue this dream for their retirement business. She said they plan to live and work on the property. David said this will be a private boat club. It will be run as a concierge service. They are requesting to have 100 boat club members. The member will call when they want their boat and it will be fueled and waiting at the dock for them to take out on the water. When finished boating they park at the dock and the boat will be removed from the water and stored until they want to use it again. He said in the beginning the boats will be stored in the parking lot either on trailers or blocks. Later in the plan the stack and rack system will be built and the boats will be stored in 3 tier stack and rack building. He said the plan includes a 4 bay maintenance garage with an apartment above. The apartment will be approximately 1800 sq. ft. and it will be occupied by he and his wife as the owner operators of the club. There will be no public access. The property will be fenced with a carded gate access, it will be lighted and they will offer rentals of kayaks, jet skis, pontoon and maybe a small fishing boat. They are also asking to be able to provide dock and hoist services, a canvas shop, small maintenance functions and marine fuel. He noted many land improvements are proposed as well. Eric Heethius, Engineer for the applicant, explained Sonora will be paved to the curve with curb and gutter and underground storage and drain system will manage the storm water with cleaning before the water reaches the lake. The entrance to the property will be from Sonora about 1/2 way down the incline. Duffy shared his list of clientele with the Planning Commission showing many current customers are Lake Fenton residents. He said this will not create an influx of new people to Lake Fenton. Most of the customers will be residents of the lake. Chairperson McGuirk called for public comments. The following people spoke, Jeff Polidan, 12085 Brown, Dianna Brown, 2251 Sonora, Michael

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Kasper, commodore for the Lake Fenton Sailing Club, 2301 Sonora, Jim Root, 12258 Freeland, President of the Lake Fenton Property Owners Association, Frank and Charmaine Thorley, 12310 Windsor Bch. and 2324 Cedar Point, George Dyball, 2462 Crane Wood, Dane Farner, 2326 Sonora, and Guy Wedell, 2271 Sonora. There concerns were as follows. The condition of Sonora Dr., limited access for the homes at the end of the point, storm water runoff and management, marine fuel and the danger of a spill, no guarantee that members will be residents of Lake Fenton, change in ownership could result in this becoming a public marina, parking, overcrowding of the lake, this development is a violation of the Townships anti key holing ordinances. Kasper stated concerns about any reconfiguration of Sonora Dr. and trespass onto the sailing club property. Root stated the Lake Fenton Property owners had commissioned a scientist from U of M who concluded, after studying the lake, that Lake Fenton was already overcrowded. He also stated concerns about rentals and the unsafe water right in front of the ramp area. Root said this is a unique piece of property but the property owners oppose 50 to 100 more boats added to the lake. The Thorley's' stated concerns about traffic and emergency access to the homes on the point. Wedell stated concerns about storm water runoff. Dyball stated concerns about key holing and marine gas. Marko stated concerns about allowing non riparian access. He said even if 75 members live on the lake, this would mean that 25 additional boats would be allowed. Duffy said many members are elderly and they do not want to deal with a dock and winterizing and summerizing their boats. McGuirk said if none of members were riparian this would definitely increase the number of watercraft on Lake Fenton. Mustola said he could not see how this would comply with the Township ordinances regarding non riparian access to the Lake. He also did not see the usefulness of a Lake Fenton property owner to drive to this property to use their boat. He also stated concerns about the property being able to support the storage of the boats and enough parking to be functional. Duffy said there is room for at least 50 cars to park. McGuirk asked about the marine fuel. Duffy explained the fuel will be stored in an above ground double walled tank in a concrete vault that has the capacity to hold more than 100% of the fuel in the tank if the tank itself failed. Tucker asked if the fuel would require a DEQ permit. Duffy said it does require a permit. Warren said she is confused by the concept of a lake person keeping their boat at the facility. She said she did like the idea but it seems it would be hard to monitor the membership. Duffy said this would be ideal for those that have homes on Cases Island. Duffy said there are many boats on Lake Fenton that are not owned by riparian's. Cypher stated concerns about parking. He used an example of him keeping his boat there and wanting to take guests out. He would drive to the site and so would his guests which could be 4 or 5 cars needing to be parked for one boat and member. He said this is a good concept that works on may larger lakes. He said this a small inland lake and the property is too small to accommodate this volume of activity. Marko stated concerns about the Fire Departments use of the ramp for water. Tucker noted the property drainage and roads could be improved as part of this project. He asked for a consensus of the neighborhood as to their support of opposition to the plan. It was unanimous that they were opposed to this development. Tucker said his main concern is that the request is not consistent with the Future Land Use Plan and that this violates the Township ordinance 4.01 regarding riparian access to lake. Marko agreed. Warren stated the cost to develop this property limits it's use for residential. She said she would support 100 Lake Fenton property owners using this service, however that would be nearly impossible to monitor. She said she did not support rentals. McGuirk said the property could be developed as a residential home. Ghassan Saab, owner of the property said they have tried to market it for residential and that did not work. He urged the Commission to support this concept. He said this is a perfect use of the property with live in management. The applicant will pave Sonora install an expensive storm water management system and has offered to gravel and maintain what will remain the gravel portion of Sonora/Cedar Point.

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Motion to recommend the Township Board deny the rezoning from R-3 to PUD based on the fact that it is inconsistent with the Township future land use plan and it violates the provisions of the Township Zoning Ordinance 4.01, this proposal could increase the traffic on Lake Fenton and could be an environmental issue with marine gas on this site.

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

Motion carried

NEW BUSINESS:

Amendment to Zoning Ordinance 594, Section 4.02, Accessory buildings:

Ordinance amendment to allow accessory structures to be built on vacant lots across the street from riparian lot principal structures.

The commission offered 3 members to work on language to present on the next Planning Commission meeting. Jason Primeau, 13336 Wenwood urged them to work toward fixing this issue. He stated he was given approval from the Township before he purchased the lot across the street, then he was told the county will not combine the lots and the Township will not issue a permit. He asked if anyone had talked to the county. Tucker said the assessor sent him the email she received from the county which cited the state law reading in part that the road breaks the contiguity. Tucker said it is now up to the Township to come up with a way to regulate accessory buildings on contiguous parcels. The Commission said they would consider a proposed ordinance amendment at their next regular meeting.

Recommendation to send the Draft Master Plan to the Township Board:

For distribution of the draft for review and comments. The commission agreed to send the Draft Master Plan to the Township Board for them to authorize the 63 day review period.

PUBLIC COMMENT CONCERNING ITEMS NOT ON THE AGENDA: 5 Minute Limit

MINUTES: June 14, 2018 stand approved as submitted

ADJOURN: 8:30 p.m.

Jim McGuirk, Chairperson
Minutes Posted 07/16/18

Donna Warren, Secretary