

1
2 Green Oak Charter Township
3 Planning Commission
4 Regular Meeting Minutes
5 March 3, 2016

6 Approved: _____

7 The meeting was called to order by Mr. Moran at 7:00 p.m.

8
9 Roll Call: Russell Brooks
10 Rollin Green
11 Robert Moran
12 Lamberto Smigliani
13 Dean Williams

14
15 Absent: Sarah Pearsall
16 Bill Haskell

17
18 Also Present: Debra McKenzie, Zoning Administrator
19 Paul Montagno, Carlisle Wortman

20
21 Guests: 10

22
23 **APPROVAL OF AGENDA**

24
25 **Motion by Williams, second by Smigliani**
26 **To approve the agenda as presented.**

27
28 **Voice Vote: Ayes: Unanimous**
29 **Nays: None**

30
31 **MOTION APPROVED**

32
33 **Approval of the February 18, 2016 Regular Meeting Minutes**

34
35 **Motion by Smigliani, second by Brooks**
36 **To approve the minutes of February 18, 2016 as submitted.**

37
38 **Voice Vote: Ayes: Unanimous**
39 **Nays: None**

40
41 **MOTION APPROVED**

42
43 **CALL TO THE PUBLIC** - None

44
45 **BUSINESS ITEMS**

46
47 **A. Public Hearing, Conditional Rezoning, R01-2016 Parcel #4716-26-300-046**
48 **Dennis Dubuc**

50 Mr. Montagno explained this item was introduced at the last Planning Commission
51 meeting. The applicant is asking for conditional rezoning from existing R2 single family
52 zoning district to GB, general business with specific conditions. An updated list of
53 conditions was provided today and is in the packet. Mr. Montagno provided a brief history
54 of the site.

55
56 Surrounding the area is all single family uses, and the master plan is planned to be single
57 family uses. The Planning Commission will need to go through and have discussion and
58 go through the findings that are presented in the ordinance if this was to move forward to
59 the Board.

60
61 Mr. Dubuc confirmed there are over 80 parking spots. Mr. Dubuc explained this just didn't
62 happen overnight, the list of uses was whittled down to what they thought would be best
63 for the Township.

64
65 Mr. Moran opened the public hearing at 7:18 p.m.

66
67 **Michele Reinhold, 11809 Fairway Dr.** – if the residential portion is in any way shape or
68 form part of their subdivision, they do have rules in their bylaws regarding residents having
69 businesses out of their home. They would like to have more time to understand what is
70 going on because they just found out about it.

71
72 Mr. Moran stated there has been a land division that has established two separate
73 parcels. Townships do not get involved in subdivision matters and if they have concerns
74 regarding the property in their association and its potential uses that is a civil matter and
75 they should seek legal counsel to find out more. If there was a desire to construct an adult
76 foster use, that is an allowable use in the residentially zoned area.

77
78 **Lisa, 12176 Cherry Lane** – She commented that the applicant is more about trying to
79 change the zoning, he has no set idea of what is going in there yet, it's more about
80 changing the law to put in a type of business. She is concerned with what will go in there.

81
82 Mr. Moran stated that the property has a use that has been historical. Being non-
83 conforming this has been allowed to continue but because these certain types of activities
84 would expand a non-conformity every time the applicant wants to do something that
85 needs to go to the ZBA to get an exception. The Township tries to say let's take a look
86 at non-conforming properties and uses and see if there is a way to bring it into the zoning
87 ordinance in a positive way so the owner knows what uses are allowed and which are not
88 allowed. Due to the non-conformity of the front portion of this property it's really in the
89 best interest for the property owner, township and residents to define what the allowable
90 uses.

91
92 **Mark Weise, 11807 Fairway Dr.** – He stated that Mr. Cavill had said at the last meeting
93 that he was representing Four Lakes Home Owners Association and Mr. Weise wanted
94 the Township to know that Mr. Cavill is a member but he was not representing the whole
95 group. Mr. Weise is the president of the homeowners association.

96
97 Ms. McKenzie read a letter from resident Erik Westerick that stated he did not have
98 concerns other than he thought there should be some noise restrictions placed on the

99 property, since they often hear music coming from the property.

100 Mr. Moran closed the public hearing at 7:28 p.m. due to know further comments.

101
102 Mr. Moran stated that the township does have a noise ordinance, and he questioned if
103 there were any outdoor activities at this location. Mr. Dubuc stated he didn't think there
104 would be any outdoor activities. Mr. Moran asked if they could add no general outdoor
105 activities. Mr. Dubuc agreed.

106
107 Mr. Moran stated he recalled a comment that they didn't want an eating or drinking facility
108 there. Mr. Dubuc commented there is a resident that would like to have a little food
109 service. Mr. Montagno stated if that came forward they would be able to apply conditions
110 on that special use.

111
112 Mr. Brooks stated he lives two houses to the north from the Tru-Fit facility and he has
113 never heard music.

114
115 Mr. Green stated after this Mr. Dubuc can update all of the buildings if he wanted. There
116 is a potential to have a conflict, could conceivable have significant traffic out of here in a
117 residential area and to be cautious and considerate of the neighborhood. Mr. Green
118 suggested having the conditional rezoning in a consistent format and he preferred to have
119 that when it is presented in the final format. Mr. Moran agreed that can be done. Mr.
120 Moran also stated this is a rezoning and it has to be approved by the Township Board.

121
122 Mr. Moran stated that there will be site plan and if it is a special use it has to go through
123 that process so there are some controls. He asked that the applicant makes sure the
124 uses are compatible with the residential use that is adjacent to the property.

125
126 Mr. Montagno reviewed the following findings with the Planning Commissioners.

- 127
128 1. Whether the rezoning is consistent with the policies and uses proposed for that
129 area with the Township's master Land Use plan. The map indicates this area to
130 be residential but because of the existing non-conforming nature of this site, the
131 intent through the rezoning will make the uses more compatible. Mr. Moran
132 commented even though its master planned as residential, it has historically been
133 a non-conforming use and they can make sure the future uses are compatible with
134 the surrounding residential. The Planning Commission agreed with this finding.
- 135 2. All of the uses allowed under the proposed zoning would be compatible with the
136 other zones and uses in the surrounding areas. This is similar in that the attempt
137 is to find uses that would be more compatible with the surrounding area, the list as
138 indicated was whittled down from a much larger list. The Planning Commission
139 agreed the list was compatible.
- 140 3. Whether the public services and facilities would be significantly adversely affected
141 by the development or use allowed under this requested zoning. Mr. Montagno
142 indicated they found the proposed zoning would not likely affect public services or
143 facilities since the site is not on public sewer or water.
- 144 4. Whether the uses allowed under the proposed rezoning would be equally or better
145 suited to the area than the uses allowed under the current zoning of land. Mr.
146 Moran stated this would be a less intensive use and the Planning Commission felt
147 this condition has been met.

- 148 5. Whether the conditions and/or value of the property of the Township or adjacent
149 communities would be significantly adversely affected or impacted. Mr. Montagno
150 indicated this site is too small to affect the township as a whole or neighboring
151 communities if the proposed uses were permitted. The Planning Commission
152 agreed this finding was met.
- 153 6. Whether or not the requested zoning change is justified by a change in conditions
154 since the original ordinance was adopted. This site has been generally developed
155 in the current configuration for over 50 years. The Planning Commission agreed
156 this finding was met.
- 157 7. Whether a precedent might result from an approval or denial of this petition and
158 the possible effects of such a precedent. The proposed district is not consistent
159 with the master plan however there is a unique set of circumstance on this site so
160 it would not be precedent setting due to those unique set of circumstances. The
161 Planning Commission agreed this finding was met.

162
163 The Commissioners found that the all of the findings were met and that the findings would
164 support a recommendation of approval to the Board of Trustees.

165
166 **Motion by Smigliani, second by Williams**
167 **To suspend the normal rules in order to take action on this issue.**

168
169 **Voice Vote: Ayes: Unanimous**
170 **Nays: None**

171
172 **MOTION APPROVED**

173
174 **Motion by Moran, second by Smigliani**
175 **Whereas the Planning Commission has reviewed application R-01-2016**
176 **relative to parcel #4716-26-300-046 requesting conditional rezoning of that**
177 **parcel and that a public hearing has been held relative to the application and**
178 **recognizing that the conditional rezoning application has included a**
179 **voluntarily submitted a list of requested uses both containing uses by right**
180 **that would be permitted as well as uses that would require a special approval**
181 **use, whereas the Planning Commission has deemed the application has met**
182 **the requirements of conditional rezoning, he moved that the Planning**
183 **Commission recommend to the Township Board of Trustees approval of this**
184 **conditional rezoning. Before the application goes to the County and Board**
185 **of Review there will be an agreement of conditional uses that will be**
186 **submitted voluntarily by the applicant and it will be a binding document by**
187 **the applicant and the Township and both parties will work together to**
188 **prepare it. The reference to the conditional rezoning requested uses are**
189 **highlighted in the applicant's submission dated March 3, 2016 and amended**
190 **verbally at tonight's meeting to include as item 15. No general outdoor**
191 **activities.**

192
193 **Roll Call Vote: Ayes: Unanimous**
194 **Nays: None**

195
196 **MOTION APPROVED**

197
198 **B. Public Hearing, Special Approval Use, RPK Sporting Firearms Archery &**
199 **Repair (SAU 01-2016) Parcel #4716-30-400-012 Building 6, Unit 8, 9287 M-36**
200 **Whitmore Lake, MI 48189**
201

202 Mr. Montagno explained this was introduced at the last Planning Commission meeting.
203 The applicant is looking to establish a business for the manufacturing and repair of parts
204 and equipment for fire arms and archery. The ordinance does permit up to 25% of the
205 building to be used for showroom and sales and the applicant is dedicating 22.5%. He
206 also has a set of findings from Section 38-44 of the Zoning Ordinance.
207

208 Ms. Reister stated they covered everything the last time, it meets the ordinance and
209 location.
210

211 Mr. Moran explained the nature of the business involves the state involvement and the
212 police and both have found it to be favorable.
213

214 Mr. Moran opened the public hearing at 8:03 p.m. and closed it due to no comments.
215

216 Mr. Montagno reviewed the findings and there were no objections made by the Planning
217 Commissioners.
218

219 Mr. Moran proposed a special condition that the hours should conform to the hours of the
220 business's in the surrounding area.
221

222 Mr. Montagno reminded the Planning Commission there is no residential in the area and
223 would not be disturbing anyone. The Planning Commissioner's agreed to not add any
224 restrictions regarding operating hours.
225

226 Mr. Montagno stated that they may want to be explicit that the testing is done in a sound
227 proof room and done inside. Mr. Curtis explained it wouldn't be louder than a staple gun
228 and function testing is not repetitive.
229

230 Mr. Moran confirmed there will be no outdoor shooting, or general range use.
231

232 **Motion by Williams, second by Smigliani**
233 **To suspend the normal rules and act on this application.**
234

235 **Voice Vote: Ayes: Unanimous**
236 **Nays: None**
237

238 **MOTION APPROVED**
239

240 **Motion by Moran, second by Green**
241 **Whereas that the special approval use for RPK Sporting Firearms Archery &**
242 **Repair (SAU 01-2016) Parcel #4716-30-400-012 Building 6, Unit 8, 9287 M-36**
243 **Whitmore Lake, MI 48189 be approved with the additional conditions that**
244 **testing will be limited to functional testing only, the facility shall not**
245 **employ any general range use and all firearm testing will be conducted**

246 within a sound proof facility including a bullet trap.

247
248 **Roll Call Vote: Ayes: Unanimous**
249 **Nays: None**

250
251 **MOTION APPROVED**

252
253
254 **C. Public Hearing Article IX. Signs 38-401 Sign Ordinance Update**

255
256 Mr. Montagno explained updated regulations were needed to deal with digital billboards
257 and clean up the items that needed it.

258
259 Mr. Moran opened the public hearing at 8:19 p.m. and closed the public hearing due to
260 no comments made.

261
262 **Motion by Smigliani, second by Williams**
263 **To suspend the normal rules and take action on this application.**

264
265 **Voice Vote: Ayes: Unanimous**
266 **Nays: None**

267
268 **MOTION APPROVED**

269
270 **Motion by Moran, second by Green**
271 **To move the changes to the Township's sign ordinance Article IX and**
272 **associated definitions be recommended to the Board of Trustees for**
273 **approval.**

274
275 **Roll Call Vote: Ayes: Unanimous**
276 **Nays: None**

277
278 **MOTION APPROVED**

279
280 **REPORTS**

281
282 **Chairman** – Mr. Moran announced that he will be resigning his position as the Planning
283 Commission Chair due to moving out of the township.

284 **Township Board Representative** – Trustee Green gave a brief update regarding the
285 last Township Board meeting.

286 **ZBA Representative**- Ms. McKenzie gave a brief report on the last ZBA meeting.

287 **Planning Consultant** – None

288 **Correspondence** – Ms. McKenzie read a letter from Lesa Brookins
289 Bob,

290 On the occasion of your moving from Green Oak, I personally want to thank you
291 for your many years of great guidance and leadership to the planning commission. You
292 have brought a combination of vision, fairness, and understanding to so many issues
293 that have helped plan and shape the Green Oak community. Not only did you help me
294 when I was here, many of us have seen the special attention you give to every plan,

295 and benefited from your wit and wisdom. I want to give you special thanks for your
296 caring, all you have done, and all you have taught me and others.
297 I sincerely send you my very best wishes as you relocate to a new home and hope that
298 you and Kathy get only get the best things in life!
299 Lesa

300
301 **CALL TO THE PUBLIC** - None

302
303 **ADJOURNMENT**

304 Mr. Moran adjourned the Regular Planning Commission meeting at 8:34 p.m. due to no
305 further business.
306

307
308
309 Respectfully Submitted,

310
311 *Kellie Angelosanto*

312
313 Kellie Angelosanto
314 Recording Secretary
315
316