

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF MAY 10, 2011**

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

Chairperson Tucker called meeting to order at 7:04 p.m.
Present: Carlson, Franz, Lorraine, McGuirk, Richard, Tucker
Recording Secretary: McDonald
Absent: None

APPROVAL OF AGENDA:

Chairperson Tucker amended the agenda to take public comment on the annual review of Tee Bone's special use permit. He noted a meeting with the owners had not taken place yet and the matter will be postponed until the June meeting.

Motion to approve the agenda as amended

Motion by: Carlson
Seconded by: McGuirk
Ayes: Carlson, Franz, Lorraine, McGuirk, Richard, Tucker
Nays: None
Absent: None
Motion carried

UNFINISHED BUSINESS

Annual review of Tee Bone's Special Use Permit – Outdoor Seating & Entertainment

Chairperson Tucker explained this will be on the agenda in June. The restaurant is currently closed. A meeting will take place with the owners to let them know what information will be required prior to the review including the certification from the sound engineer that was waived last year. Tucker called for audience comments asking to hear the neighbors concerns. Kelly Flynn, 3394 Ponemah, stated last year the restaurant had a comedian that was on the deck using the amplified sound on nights not included in the special use permit. Ben Green, 3422 Ponemah asked the Commission to consider modifying the permit to lower the maximum decibel level to 80dB. Carlson stated concerns about the sound level and supported lowering the level to 80dB. Franz concurred with Flynn stating he knew they had a comedian several times. He supported lowering the level and stated concerns about the microphone being covered by a thick rubber material. Tucker noted that several times last year he visited the site with the Township's decibel meter, he said the high fence did buffer the sound, however it does not extend far enough along the east property line.

R11-001 Larry Adkins, 4067 Commerce, Flushing:

06-11-626-005 through 06-11-626-015

Final Site Plan: amendments to the Gables of North Shore

12004, 12022 & 12024 Brown St. 12018, 12020, 12022, 12024, 12026, 12028, 12030 & 12032 Bowels.

George Rizik, 8226 S. Saginaw St., Grand Blanc, sworn in. Rizik gave a brief history of the process to this date, including the fact that the Township Board approved the amendment to the PUD zoning on Monday, May 2, 2011. He noted the Commission grant preliminary approval on March 29, 2011. Since that meeting the parties have worked out an agreement on the site and landscape plans. He presented the site plan and landscape plan. Copies of the landscape plan were made using velum which showed through on the copies. Josh Park, 12014 Bowels and Guy Pickhover, 12010 Bowels presented the drawing they had agreed on. Recording Secretary McDonald made a copy of the correct plan and Chairperson Tucker had all parties sign and date the copy for the file. Rizik explained the covered porches were an issue in the master deed and that has been corrected to read so that the covered porches would not negatively impact the views of the lake from units 1 – 4. The other controversy was the landscape plan that was also corrected with the plan submitted. Franz

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stated concerns about the additional boat slips on the site plan. Rizik explained those slips are for guest parking on a temporary basis only. Chairperson Tucker called for audience comments. There were none. Franz asked that the slips be numbered on the plan. The Commission suggested each unit be assigned a slip. Pickhover and Park stated they did not want the slip assigned to give them flexibility in where they moor their boats. Chairperson Tucker stated concerns about the building height and reminded the applicant that there is a height limitation of 29 ft. Tucker asked if the limited common element for the lake front units included the building footprint. Rizik explained it did include the building footprint. Tucker also asked about the 6 ft. fence along the south property line stating concerns about the line of site for the south neighbor. Larry Adkins explained the new fence will be inside the existing chain link fence and be 6 ft. to the corner of the next residential structure from the corner to the water the proposed fence is 4 ft. in height. Tucker asked if the Fire Chief had reviewed plans. Rizik stated not to his knowledge. Tucker asked about the slope of sidewalk and ADA requirements. Adkins stated the new portions of the walk will meet ADA requirements and that will be noted on the plan. Tucker noted that the sump pump discharge shall be directed into the storm sewer. Adkins said it is not practical to do so. Tucker said the ordinance requires it to discharge into the storm sewer and suggested he meet with Township staff to discuss this matter if it is not possible. Tucker also questioned the driveway thickness and suggested they be 6 inches. Adkins said they will be either 5 or 6 inches.

Motion to grant final site plan approval with the following conditions:

- Dock slips to be identified and numbered on the site plan
- Fire Chief review and approval
- Notation on site plan that the sidewalk will be ADA compliant

Motion by: Carlson
Seconded by: Tucker
Ayes: Carlson, Franz, Lorraine, McGuirk, Richard, Tucker
Nays: None
Absent: None

Motion carried

COMMUNICATIONS:

Letter from Jeff & Mary Crim, 11394 Audubon Dr. Chairperson Tucker asked if everyone had a copy of the letter. Franz stated he contacted Jeff Crim to tell him what took place at the meeting and the restrictions placed on the special use permit to mitigate its impact on the neighbors.

PUBLIC COMMENT & COMMUNICATION CONCERNING ITEMS NOT ON THE AGENDA:

There were none

MINUTES: March 8, 2011 stand approved as submitted
April 12, 2011 stand approved as submitted
April 21, 2011 stand approved as submitted

ADJOURN: 7:58 p.m.

John Tucker, Chairperson
Minutes Posted 05/16/11

James McGuirk, Secretary