

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800

FAX: 810-659-4212

PLANNING COMMISSION AGENDA

DATE: September 12, 2022

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Chair – Vicki Bachakes

Ronald Voigt

Vice Chair – Christopher Czyzio

Craig Davis

Secretary – William Mills

Amy Bolin

Terry A. Peck – Board of Trustees Representative

Mandy Hemingway, Recording Secretary

I. CALL THE MEETING TO ORDER:

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

II. APPROVAL OF AGENDA:

III. APPROVAL OF PREVIOUS MINUTES:

August 25, 2022 Special Meeting

IV. PUBLIC COMMENTS FOR AGENDA ITEMS ONLY:

Each speaker limited to three minutes

V. UNFINISHED BUSINESS:

1. Discussion and possible motion regarding Zoning Ordinance Article 18, Special Use Permits Article: Section 20-1804 Requirements for Permitted Special Land Uses (OO) Commercial Solar Energy Collector System(b)(2) The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.

VI. NEW BUSINESS:

1. Consideration of request to rezone Parcel No. 08-12-000-008 from C-2 General Commercial District/RU-3 Residential Urban High-Density District to RU-2 Residential Urban Medium-Density District. The property address is 7533 N. McKinley Road, Flushing, MI 48433.

2. Consideration of a request for a Special Use Permit for the purpose of a seasonal haunted hayride pursuant to Article XVIII Sec. 20-1804 (D) Agricultural Tourism Facilities at Parcel No. 08-11-100-006, property address 7462 N. McKinley Road, Flushing, MI 48433.

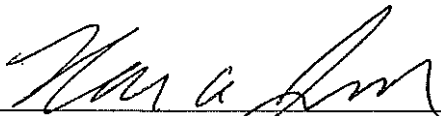
VII. PUBLIC COMMENTS:

Each speaker limited to three minutes

VIII. COMMISSION COMMENTS:

IX. NEXT REGULAR SCHEDULED MEETING: *TUESDAY, OCTOBER 11, 2022 AT 7:00P.M.*

X. ADJOURNMENT



DENNIS JUDSON, Zoning Administrator

DRAFT
CHARTER TOWNSHIP OF FLUSHING
6524 N. SEYMOUR ROAD
FLUSHING, MICHIGAN 48433

810-659-0800 **FAX: 810-659-4212**

MINUTES OF THE SPECIAL PLANNING COMMISSION MEETING

DATE: August 25, 2022 **TIME: 7:00 P.M.**

WEB ADDRESS <http://www.flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Chair – Vicki Bachakes	Ronald Voigt
Vice Chair – Christopher Czyzio	Craig Davis
Secretary - William Mills	Amy Bolin
Terry A. Peck, Board of Trustees Representative	
Mandy Hemingway, Recording Secretary	

PRESENT: Vicki Bachakes, Christopher Czyzio, William Mills, Ronald Voigt, Craig Davis, Amy Bolin and Terry Peck

ABSENT: None

OTHERS PRESENT: Clerk Wendy Meinburg and one other individual were present.

I. MEETING CALLED TO ORDER at 7:00 P.M. by Planning Commission Chairperson Bachakes with Roll Call and Pledge to the American Flag.

II. APPROVAL OF AGENDA:

COMMISSIONER PECK MOVED, supported by Commissioner Czyzio to approve the agenda as presented.

THE MOTION CARRIED UNANIMOUSLY.

III. APPROVAL OF PREVIOUS MINUTES:

COMMISSIONER CZYZIO MOVED, supported by Commissioner Bolin to approve the minutes of the August 8, 2022 meeting.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Mills, Bolin, Bachakes, Czyzio, Davis, Peck and Voigt

NAYS: None

ABSENT: None

THE MOTION CARRIED UNANIMOUSLY.

IV. PUBLIC COMMENTS

OPEN FOR PUBLIC COMMENTS 7:00 P.M.

No comments made.

CLOSED FOR PUBLIC COMMENTS 7:01 P.M.

V. UNFINISHED BUSINESS

1. Motion to approve request for a Special Use Permit for a pond on Nichols Road, Parcel #08-05-200-027 pursuant to *Special Use Permits Article XVIII, Section 20-1804 (BB) Ponds*.

The Planning Commissioners reviewed the application and support materials. After hearing from the applicant and a short discussion, the following motion was made.

COMMISSIONER PECK MOVED, supported by Commissioner Voigt to approve the request for a Special Use Permit for a pond on Nichols Road, Parcel #08-05-200-027 pursuant to *Special Use Permits Article XVIII, Section 20-1804 (BB) Ponds*.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Davis, Bachakes, Czyzio, Mills, Peck, Voigt and Bolin

NAYS: None

ABSENT: None

THE MOTION CARRIED UNANIMOUSLY.

VI. NEW BUSINESS

None

VI. PUBLIC COMMENTS

OPEN FOR COMMENTS: 7:09 P.M.

One comment was made.

CLOSED FOR COMMENTS: 7:11 P.M.

VII. COMMISSION COMMENTS

Chairperson Bachakes made mention of the upcoming MTA Hot Topics in Planning and Zoning class on Wednesday, August 31, 2022.

Commissioner Peck mentioned there is another class for planning commissioners coming up in October in Frankenmuth.

**VIII. NEXT REGULAR SCHEDULED MEETING IS MONDAY,
SEPTEMBER 12, 2022 AT 7:00 P.M.**

IX. ADJOURNMENT

With no further business, the meeting adjourned at 7:16 P.M.

VICKI BACHAKES, Chairperson

WILLIAM MILLS, Secretary

Date of Approval

Mandy Hemingway, Recording Secretary

Flushing ~~Township~~
Solar Energy Zoning Ordinance Provisions
AMENDED MONTH, YEAR

Commented [JB1]: Changes from Draft 1 to Draft 2 are highlighted in yellow.

Article 2 DEFINITIONS

LANDSCAPED BERM: An earth mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other such purposes.

GREENBELT: An open area which may be cultivated or maintained in a landscaped state surrounding development or used as a buffer between land uses or to mark the edge of an urban or developed area.

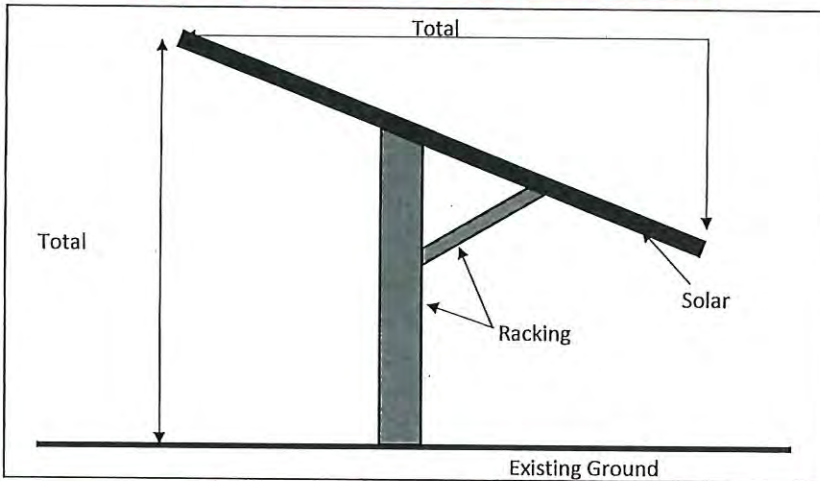
SOLAR ENERGY COLLECTOR: A device, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes significantly to a structure's energy supply.

~~GROUND-MOUNTED SOLAR ENERGY COLLECTOR, GROUND MOUNTED:~~ A solar energy collector that is not attached to and is separate from any building on the parcel of land on which the solar energy collector is located (Figure 1).

~~ROOF-MOUNTED SOLAR ENERGY COLLECTOR, ROOF-MOUNTED:~~ A solar energy collector that is attached to a building's roof on the parcel of land including solar shingles.

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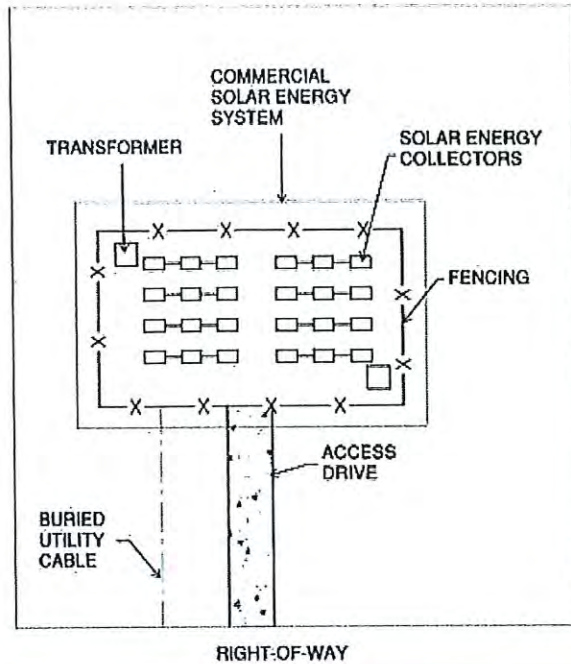
Figure 1: Ground Mounted Solar Energy Collector Illustration



SOLAR ENERGY SYSTEM: One or more solar energy collectors or structural design features of a structure that relies upon sunshine as an energy source and is capable of collecting, distributing, and storing (if appropriate to the technology) the sun's radiant energy for a beneficial use.

COMMERCIAL-SOLAR ENERGY SYSTEM, COMMERCIAL: A utility-scale facility of ground-mounted solar energy collectors with the primary purpose of wholesale or retail sales of generated electricity, commonly referred to as solar farms. A commercial solar energy system includes the solar panels, internal roadways, spacing for service, fencing, and any other structure, transformer, or devices of the like needed for solar production or operation of the system. See Figure 2.

Figure 2: Commercial Solar Energy System Illustration



~~GROUND-MOUNTED SOLAR ENERGY COLLECTOR: A solar energy collector that is not attached to and is separate from any building on the parcel of land on which the solar energy collector is located (Figure 1).~~

ON-SITE SOLAR ENERGY SYSTEM, ON-SITE: A solar energy system designed to help meet the electrical needs within the limits of the area encompassed by the tract area or parcel of record on which the activity is conducted. An on-site solar energy system may include ground-mounted, roof-mounted solar energy collectors, or a combination of the two. The majority of the electricity generated by an on-site solar energy system must remain on the site, and not be utilized for wholesale or retail sale.

RACKING: Racking is any structure or building material used in the mounting of a solar panel (Figure 1).

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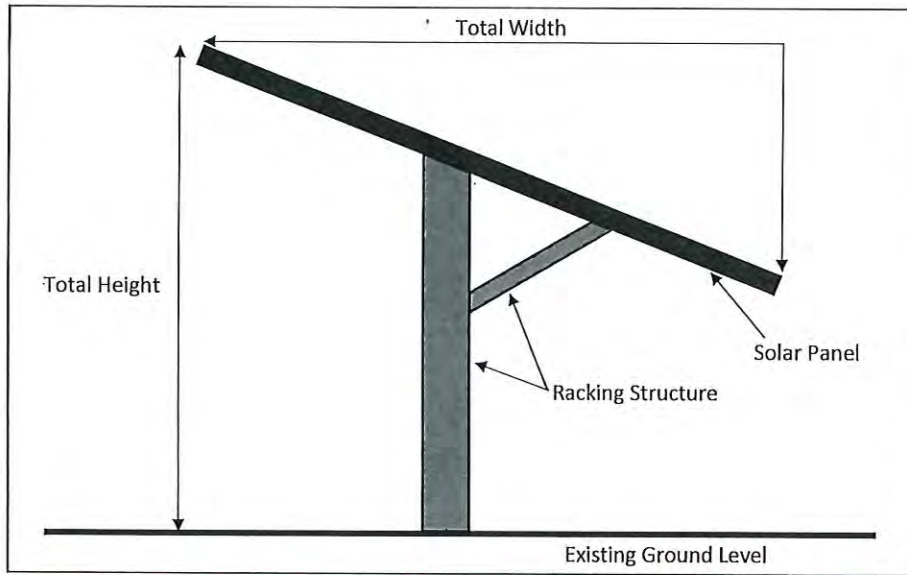


Figure 1

SOLAR COLLECTOR: A device or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes significantly to a structure's energy supply.

SOLAR ENERGY: Radiant energy (direct, diffuse, and reflected) received from the sun.

SOLAR ENERGY SYSTEM: A solar collector or other device or structural design feature of a structure that relies upon sunshine as an energy source and is capable of collecting, distributing, and storing (if appropriate to the technology) the sun's radiant energy for a beneficial use.

SOLAR PANEL: A panel consisting of an array of solar cells used to generate electricity directly from sunlight.

SOLAR SHINGLES: A roofing product made by combining thin film solar technology (which converts sunlight to electricity) with a durable backing to provide a structural roof shingle comparable to traditional roofing shingles.

Article 3 General Regulations

Section 20-324 Landscaping and Screening

The planning commission may require the installation of a Landscaped Berm and/or Greenbelt to visually screen special land uses from the right-of-way or other uses, and when a commercial, industrial, or multi-family land use or zoning district abuts a single-family

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residential zoning district or use. The following are minimum standards and may be amended by the Planning Commission during site plan review.

(a) Greenbelt: Where required, greenbelts shall conform to the following standards:

- (1) A required greenbelt or greenbelt buffer may be interrupted only to provide for roads or driveways for vehicular access.
- (2) Grass, ground cover, or other suitable live plant material shall be planted over the entire greenbelt area, with the exception of sidewalks and driveways.
- (3) A minimum of two (2) deciduous trees or two (2) evergreen trees shall be planted for each thirty (30) linear feet or portion thereof of required greenbelt length. Required trees shall be at least five (5) feet tall and may be planted at uniform intervals, at random, or in groupings.
- (4) Four (4) - eighteen (18) inch high shrubs shall be required for each thirty (30) linear feet of greenbelt area. Required shrubs may be planted at uniform intervals, at random, or in groupings.
- (5) For the purpose of determining required plant material, required greenbelt area length shall be measured along the exterior periphery of the greenbelt area inclusive of all driveways.
- (6) Trees or shrubs shall be planted at least three (3) feet from any property line.

(b) Landscaped Berms: Where required, landscaped berms shall conform to the following standards:

- (1) The berm shall be at least three (3) feet above the grade elevation and shall be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal. For the purposes of this provision, grade elevation shall be the ground elevation at the property line adjacent to the proposed berm.
- (2) The berm area shall be planted with grass or other suitable ground cover to ensure that it withstands wind and weather and retains its height and shape.
- (3) A minimum of one (1) deciduous or one (1) evergreen tree shall be planted for each thirty (30) linear feet or portion of required berm.
- (4) Eight (8) shrubs may be planted as substitute for each tree required in subsection 3 if the same visual screening effect is achieved.
- (5) Required trees and shrubs may be planted at uniform intervals, at random, or in groupings.
- (6) For the purpose of determining required plant material, required berm length shall be measured along the exterior periphery of the berm.
- (7) The edge of the berm shall be at least three (3) feet from any property line and shall not cause any additional stormwater runoff onto adjacent properties.

Article 4 SITE REGULATIONS

Section 20-419-420 On-Site Solar Energy System Regulation

(a) All Solar Energy Collectors

- (1) The installation of any solar panel (on-site or commercial) shall not negatively impact adjacent properties with additional or excessive storm-water runoff and/or drainage.
- (2) It shall be shown that all panels are adequately secured to the surface upon which they are mounted and that the mounting structure has the capability of supporting the panels.
- (3) All panels shall have tempered, non-reflective surfaces.
- (4) Solar energy ~~equipment collectors~~ shall be repaired, replaced, or removed within three months of becoming nonfunctional.
- (5) Each system shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).
- (6) Solar energy collectors shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the building inspector prior to installation. Building inspector approval is required.
- (7) Solar energy collectors and installation and uses shall comply with construction code, electrical code, and other state requirements.

(b) On-Site Roof-Mounted Solar Energy Collectors shall:

- (1) ~~Solar energy collectors shall be~~ such a weight to be safely supported by the building. Building inspector approval is required.
- (2) ~~Solar energy collectors shall be~~ considered part of the building and meet all the required building height and setback requirements.
- (3) ~~Solar energy collectors shall n~~Not project more than 2 feet above highest point of roof or exceed maximum building height limitations allowed in that zoning district.
- (4) ~~Solar energy collectors shall n~~Not be located within 3 feet of any peak, eave, or valley to maintain adequate accessibility.

(c) On-Site Ground-Mounted Solar Energy Collectors:

- (1) ~~Ground-mounted solar energy systems a~~Are only permitted in the side and rear yards, unless permitted in front yard by issuance of a discretionary special use permit pursuant to Section 20-1804(A) of the Ordinance.
- (2) ~~Ground-mounted solar energy systems may~~Shall not extend into the side yard or rear setback when oriented at any designed tilt angle.
- (3) ~~Ground-mounted solar energy collectors s~~Shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.

- (4) ~~There s~~ shall be a minimum of 25 feet from all-natural features including water courses, wood lots, wetlands, and 100-year floodplains.
- (5) ~~The total area of ground-mounted solar energy collections s~~ shall be included in calculations to determine lot coverage and shall not exceed the maximum lot coverage permitted in the relevant zoning district.
- (6) Shall be considered an accessory use in ~~For~~ the RU-1, RU-2, RU-4, RSA, C-1, C-2, C-3, M-1, and M-2 zoning districts, ~~ground-mounted solar energy collectors if requesting a~~ total area of ground mounted solar energy collectors and other elements of the on-site solar energy system account for fifteen (15%) percent or less lot coverage of 15 percent of total lot coverage.
- ~~(6)~~(7) or less be considered an accessory use. A ~~Shall require a~~ Discretionary Special Use Permit may be considered if the total area of ground mounted solar energy collectors and other elements of the on-site solar energy system account for more than ground-mounted solar energy collectors requesting a lot coverage over fifteen (15%) percent of total lot coverage.
- ~~(7)~~(8) Ground-mounted solar energy collectors and other elements of an on-site solar energy system shall meet the requirements of Sec-tion 20-400 Accessory Structures.

Article 7 DISTRICT REGULATIONS
Section 20-701 Zoning District Uses

ZONING DISTRICT USES										
SCHEDULE OF USES Permitted by Right (P), Uses Permitted by Non-Discretionary Special Use Permits (NS), Uses Permitted by Discretionary Special Use Permit (DS), Accessory Uses and Buildings (A)										
TYPE OF USES	DISTRICTS									
	RSA	RU-1	RU-2	RU-4	C-1	C-2	C-3	M-1	M-2	
ACCESSORY USES, STRUCTURES, AND BUILDINGS										
On-Site Roof-Mounted Solar Energy Collector	A	A	A	A	A	A	A	A	A	A
On-Site Ground-Mounted Solar Energy Collector (15 percent Lot Coverage or Less)	A	A	A	A	A	A	A	A	A	A
On-Site Ground-Mounted Solar Energy Collector (Over 15 percent of Lot Coverage)	DS	DS	DS	DS	DS	DS	DS	DS	DS	DS
INDUSTRIAL AND RELATED USES										
Commercial Solar Energy Collector	DS							DS	DS	DS

Article 18 SPECIAL USE PERMITS-ARTICLE

Section 20-1804 Requirements for Permitted Special Land Uses

(OO) Commercial Solar Energy ~~Collector~~-System

~~(a)~~ The commercial solar energy ~~collector~~-system must meet all requirements in ~~Section 20-41920~~ (a) all solar energy collectors ~~and (b) roof-mounted solar energy collectors.~~

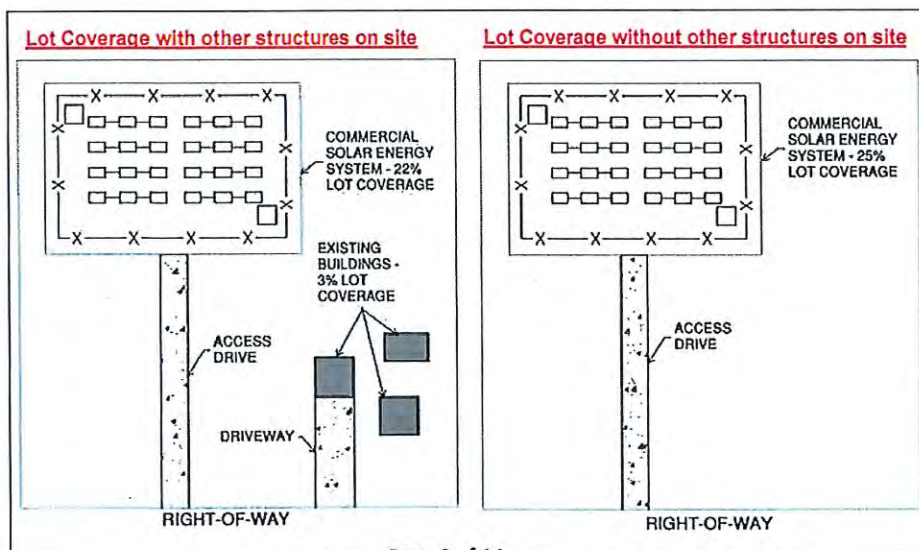
~~(a)(b)~~ All commercial solar energy ~~collector~~-systems ~~that are ground-mounted~~ shall follow the following requirements:

- (1) Ground-mounted solar energy collectors shall not exceed ~~twelve (12)~~ feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.

~~The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.~~

- (2) The total area of the commercial solar energy system shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of twenty-five (25%) percent regardless of the residing zoning district (See-Figure 3). If a commercial solar energy system is located on multiple parcels that form a single contiguous site, lot coverage shall be calculated based on the total area of all parcels on which the commercial solar energy system is located.

Figure 3: Commercial Solar Energy Lot Coverage Illustration



~~(3) (3)~~ Commercial solar energy systems must be located on Required-to-be-on lots larger than 2 acres.

(4) Visual Buffer Requirements:

- ~~(i) Residential Property: When Any a~~ commercial solar energy collector system ~~is adjacent to adjoining any a~~ residential development use, the system shall be set-back at least **three hundred (300)** feet from the property line and at least **five hundred (500)** feet from any dwelling unit. A landscaped visual buffer shall be provided within the setback area that obscures the commercial solar energy system from view.
- ~~(ii) Street Frontage: Commercial solar energy systems shall be set-back at least three hundred (300) feet from any road right-of-way. A landscaped visual buffer shall be provided within the setback area that obscures the commercial solar energy system from view.~~
- ~~(i) Visual Buffer: shall be provided with a buffer of at least 60 feet along the adjacent property line. A required landscaped visual buffer, including a greenbelt and/or landscaped berm, that meets the minimum standards of Section 20-324 shall be installed to effectively screen the commercial solar energy system from view. The visual buffer shall be installed prior to the placement of solar collectors to the extent feasible and must be maintained by the property owner. The Planning Commission may require the installation of additional vegetation and other landscaping or visual screening in excess the minimum requirements to screen residential districts and uses. Such buffer shall be planted with evergreen and other suitable plantings b and used for no other purposes.(v) A landscaped planting area of at least 60 feet shall also be provided along all street frontage. The Planning Commission may approve to substitute the above described greenbelt for an obscuring fence, wall, and other protective barriers as long as it meets requirements in Section. 20-408.~~
- ~~(iii)~~ The planting of native ground covers ~~that~~ shall be maintained on site during the operation, until the site is decommissioned.
- ~~(iv) Setback: Required setback areas and visual buffers may be used for agricultural purposes or left in a natural state. In addition to the residential and street frontage setback requirements in this section, commercial solar energy systems shall meet the required front, side, and rear setbacks for the RSA zoning district. If a commercial solar energy system is located on a site that includes multiple parcels that form a single contiguous site, the setback requirement may be waived by the Planning Commission during site plan review.~~
- ~~(ii)(v)~~ A landscaped planting area of at least 60 feet shall be provided along all street frontage. The Planning Commission may approve substitution of vegetation ~~to substitute the above described greenbelt for~~

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an obscuring fence, wall, and other protective barriers as long as it meets requirements in Sec. 20-408.

~~(iii)~~(vi) The planting of native ground covers shall be maintained on site during the operation, until the site is decommissioned.

~~(4)~~ ~~(6)~~ The applicant shall provide verification that adequate infrastructure exists to transport the electricity generated by the commercial solar energy system into the larger grid system.

~~(5)~~

~~(9)~~ Power and communication lines running between banks of solar energy collectors may be placed above ground, provided the lines are placed no higher than the top of the solar panels. ~~(7)~~ Power and communication lines running between the banks of the solar panels may be placed above ground, provided the lines are placed no higher than top of the solar panels.

~~(6)~~

~~(5)~~ ~~(8)~~ Power and communication lines to electric substations or interconnections with buildings shall be buried underground.

~~(6)~~ ~~(7)~~ Exception for ~~u~~The requirement for underground power and communication lines may be waived in the following circumstances:

(i) Where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.

~~(iii)~~ ~~(ii)~~ When required by the utility company.

~~(ii)~~

~~(iii)~~ ~~(iii)~~ Unless otherwise ~~When granted a waiver determined~~ by the Planning Commission during site plan review.

~~(iii)~~

~~(7)~~ ~~(10)~~ The installation of the ground-mounted solar energy collectors shall not disturb the existing topography.

~~(8)~~

~~(9)~~ Commercial solar energy systems shall be centrally located on a property, or in the least visibly intrusive location whenever possible.

(c) Decommissioning:

(1) Any commercial solar energy system that is not operated or found to be inoperable due to disrepair for a continuous period of six (6) months shall be considered abandoned. If it is found abandoned, the Planning Commission, upon notice by the Zoning Administrator, shall provide written notice to the applicant/owner/operator of a hearing before the Planning Commission to hear evidence that the commercial solar energy system should not be decommissioned.

- (2) If a commercial solar energy system is repaired, a Licensed Professional Engineer (hired at the expense of the owner or operator) shall certify its safety prior to the resumption of operation.
- (3) Within ~~ninety (90)~~ days of the hearing where the Planning Commission has determined that a commercial solar energy system is abandoned or inoperable, the owner/operator shall obtain a permit from the township, and any other necessary entities to remove all structures and equipment, consistent with the approved decommissioning plan.
- (4) Failure to obtain necessary permits within the ~~ninety (90-)~~ day period provided in this subsection shall be grounds for the township to remove the commercial solar energy system at the Owner's expense, consistent with the decommissioning plan.
- (5) Decommissioning shall include removal of all equipment, including all materials above and below ground, and internal or perimeter access roads. The site shall be restored to a condition that reflects the character of the site prior to installation of the commercial solar energy system, including topography, vegetation, soils, drainage, and any unique environmental features.
- (6) The restoration shall include road repair and hazardous waste cleanup, if any, all re-grading, soil stabilization, and re-vegetation necessary to return the subject property to a stable condition consistent with conditions existing prior to establishment of the commercial solar energy system.
- (7) The restoration process shall comply with all state, county, or local erosion control, soil stabilization, and/or runoff requirements or ordinances and shall be completed within one year. Extensions may be granted upon request to the Planning Commission prior to expiration of the one-year requirement for completed decommissioning.

(d) Decommissioning Plan:

- (1) -Prior to site plan approval, a commercial solar energy system shall have a plan approved by the township for decommissioning the site that describes the expected duration of the project, how the improvements will be decommissioned, a Professional Engineer's estimated cost of decommissioning, and the financial resources necessary to accomplish decommissioning. The decommissioning plan shall address all applicable items in the previous subsection as well as the following.

 - (i) The financial resources for decommissioning shall be in the form of a bond or similar financial instrument with a replenishment obligation and shall be deposited by an agent acceptable to the township.
 - (ii) The financial resources for decommissioning shall be one hundred twenty-five (125%) percent of the estimated removal and restoration

cost. The Planning Commission shall require independent verification of the adequacy of this amount from a Professional Engineer.

(iii) The planning commission, building official, and zoning administrator shall annually review the amount deposited for removal, site restoration, and administration costs to ensure it is adequate for these purposes. If the Planning Commission determines that these amounts are not adequate, the township shall require the owner/operator to make additional deposits to increase the amount of the surety bond to cure such inadequacy.

(iv) If decommissioning is not completed by the applicant within one year of receiving the necessary permits for decommissioning, the township shall have access to the financial resources for the expressed purpose of completing decommissioning. Funds may be used for administrative fees and costs associated with decommissioning.

(v) The township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

(vi) The township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the right to seek reimbursement from the applicant or applicant's successor for decommissioning costs in excess of the amount provided for in the decommissioning plan and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 90 days. The plan shall include provisions for removal of all structures, foundations, electrical equipment and internal or perimeter access roads, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site. The applicant shall submit a financial guarantee in the form of a bond in favor of Flushing Township equal to 125 percent of the costs to meet the requirements of the decommissioning plan. The type of guarantee is subject to the Planning Commission's approval.

(e) Change in Ownership

(1) The Township must be notified in advance of any change in ownership of a commercial solar energy system. The following information shall be provided in the notification:

(i) The current owner's name, address, and contact information (email and phone number).

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- (ii) The proposed new owner's name, address, and contact information (email and phone number).
- (iii) The property address, including Parcel ID number.
- (iv) If there is to be a change in responsibility for oversight and operation of the system, the name, address and contact information for the new operator (email and phone number) will be required as well.

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**Flushing Township
Solar Energy Zoning Ordinance Provisions
AMENDED MONTH, YEAR**

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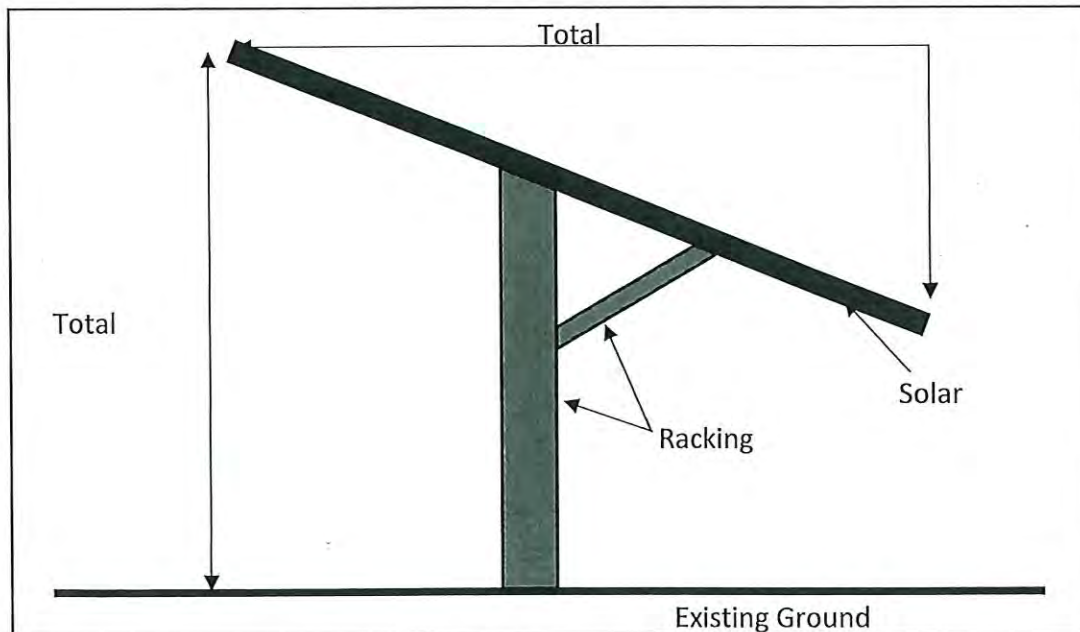
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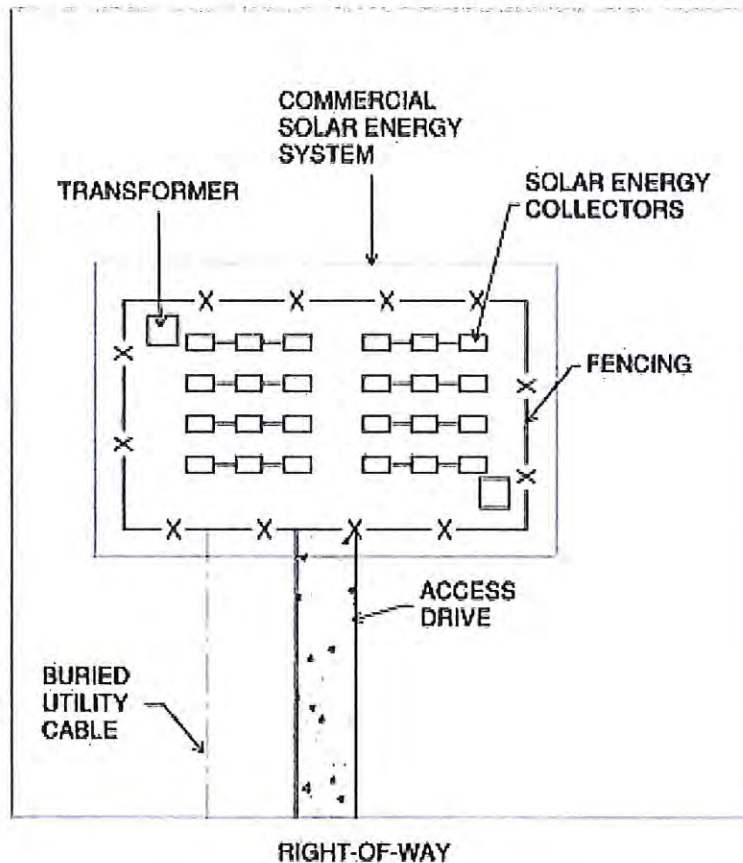
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SOLAR PANEL: A panel consisting of an array of solar cells used to generate electricity directly from sunlight.

Article 3 General Regulations

Section 20-324 Landscaping and Screening

The planning commission may require the installation of a Landscaped Berm and/or Greenbelt to visually screen special land uses from the right-of-way or other uses, and when a commercial, industrial, or multi-family land use or zoning district abuts a single-family residential zoning district or use. The following are minimum standards and may be amended by the Planning Commission during site plan review.

- (a) Greenbelt: Where required, greenbelts shall conform to the following standards:
 - (1) A required greenbelt or greenbelt buffer may be interrupted only to provide for roads or driveways for vehicular access.
 - (2) Grass, ground cover, or other suitable live plant material shall be planted over the entire greenbelt area, with the exception of sidewalks and driveways.
 - (3) A minimum of two (2) deciduous trees or two (2) evergreen trees shall be planted for each thirty (30) linear feet or portion thereof of required greenbelt length. Required trees shall be at least five (5) feet tall and may be planted at uniform intervals, at random, or in groupings.
 - (4) Four (4) - eighteen (18) inch high shrubs shall be required for each thirty (30) linear feet of greenbelt area. Required shrubs may be planted at uniform intervals, at random, or in groupings.
 - (5) For the purpose of determining required plant material, required greenbelt area length shall be measured along the exterior periphery of the greenbelt area inclusive of all driveways.
 - (6) Trees or shrubs shall be planted at least three (3) feet from any property line.
- (b) Landscaped Berms: Where required, landscaped berms shall conform to the following standards:
 - (1) The berm shall be at least three (3) feet above the grade elevation and shall be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal. For the purposes of this provision, grade elevation shall be the ground elevation at the property line adjacent to the proposed berm.
 - (2) The berm area shall be planted with grass or other suitable ground cover to ensure that it withstands wind and weather and retains its height and shape.
 - (3) A minimum of one (1) deciduous or one (1) evergreen tree shall be planted for each thirty (30) linear feet or portion of required berm.

- (4) Eight (8) shrubs may be planted as substitute for each tree required in subsection 3 if the same visual screening effect is achieved.
- (5) Required trees and shrubs may be planted at uniform intervals, at random, or in groupings.
- (6) For the purpose of determining required plant material, required berm length shall be measured along the exterior periphery of the berm.
- (7) The edge of the berm shall be at least three (3) feet from any property line and shall not cause any additional stormwater runoff onto adjacent properties.

Article 4 SITE REGULATIONS

Section 20-420 Solar Energy System Regulation

- (a) All Solar Energy Collectors
 - (1) The installation of any solar panel (on-site or commercial) shall not negatively impact adjacent properties with additional or excessive stormwater runoff and/or drainage.
 - (2) It shall be shown that all panels are adequately secured to the surface upon which they are mounted and that the mounting structure has the capability of supporting the panels.
 - (3) All panels shall have tempered, non-reflective surfaces.
 - (4) Solar energy collectors shall be repaired, replaced, or removed within three months of becoming nonfunctional.
 - (5) Each system shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).
 - (6) Solar energy collectors shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the building inspector prior to installation. Building inspector approval is required.
 - (7) Solar energy collectors and installation and uses shall comply with construction code, electrical code, and other state requirements.
- (b) On-Site Roof-Mounted Solar Energy Collectors shall:
 - (1) Be such a weight to be safely supported by the building. Building inspector approval is required.
 - (2) Be considered part of the building and meet all the required building height and setback requirements.
 - (3) Not project more than 2 feet above highest point of roof or exceed maximum building height limitations allowed in that zoning district.
 - (4) Not be located within 3 feet of any peak, eave, or valley to maintain adequate accessibility.

(c) On-Site Ground-Mounted Solar Energy Collectors:

- (1) Are only permitted in the side and rear yards, unless permitted in front yard by issuance of a discretionary special use permit pursuant to Section 20-1804(A) of the Ordinance.
- (2) Shall not extend into the side yard or rear setback when oriented at any designed tilt angle.
- (3) Shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.
- (4) Shall be a minimum of 25 feet from all-natural features including water courses, wood lots, wetlands, and 100-year floodplains.
- (5) Shall be included in calculations to determine lot coverage and shall not exceed the maximum lot coverage permitted in the relevant zoning district.
- (6) Shall be considered an accessory use in the RU-1, RU-2, RU-4, RSA, C-1, C-2, C-3, M-1, and M-2 zoning districts if the total area of ground mounted solar energy collectors and other elements of the on-site solar energy system account for fifteen (15%) percent or less of total lot coverage.
- (7) Shall require a Discretionary Special Use Permit if the total area of ground mounted solar energy collectors and other elements of the on-site solar energy system account for more than fifteen (15%) percent of total lot coverage.
- (8) Ground-mounted solar energy collectors and other elements of an on-site solar energy system shall meet the requirements of Section 20-400 Accessory Structures.

Article 7 DISTRICT REGULATIONS
Section 20-701 Zoning District Uses

ZONING DISTRICT USES										
SCHEDULE OF USES - Uses Permitted by Right (P), Uses Permitted by Non-Discretionary Special Use Permits (NS), Uses Permitted by Discretionary Special Use Permit (DS), Accessory Uses and Buildings (A)										
TYPE OF USES	DISTRICTS									
	RSA	RU-1	RU-2	RU-4	C-1	C-2	C-3	M-1	M-2	
ACCESSORY USES, STRUCTURES, AND BUILDINGS										
On-Site Roof-Mounted Solar Energy Collector	A	A	A	A	A	A	A	A	A	A
On-Site Ground-Mounted Solar Energy Collector (15 percent Lot Coverage or Less)	A	A	A	A	A	A	A	A	A	A
On-Site Ground-Mounted Solar Energy Collector (Over 15 percent of Lot Coverage)	DS	DS	DS	DS	DS	DS	DS	DS	DS	DS
INDUSTRIAL AND RELATED USES										
Commercial Solar Energy Collector	DS							DS	DS	DS

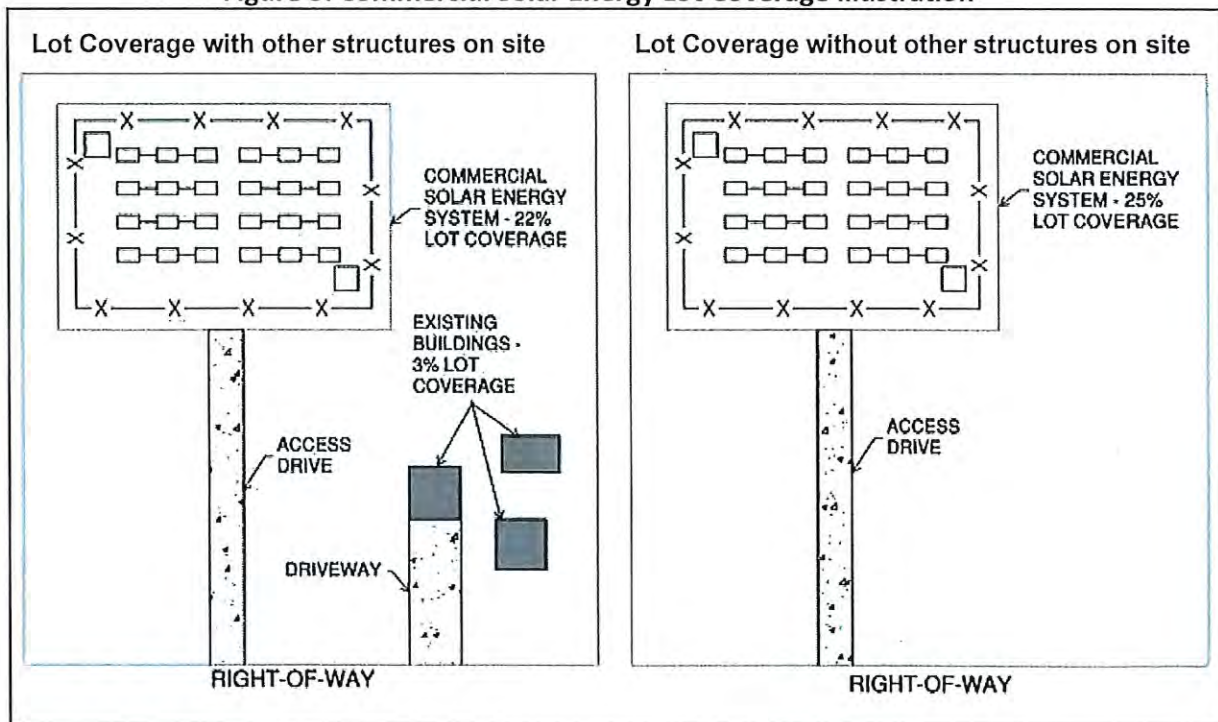
Article 18 SPECIAL USE PERMITS

Section 20-1804 Requirements for Permitted Special Land Uses

(OO) Commercial Solar Energy System

- (a) The commercial solar energy system must meet all requirements in Section 20-420 (a) all solar energy collectors.
- (b) All commercial solar energy systems shall follow the following requirements:
 - (1) Ground-mounted solar energy collectors shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.
 - (2) The total area of the commercial solar energy system shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of twenty-five (25%) percent regardless of the residing zoning district (Figure 3). **If a commercial solar energy system is located on multiple parcels that form a single contiguous site, lot coverage shall be calculated based on the total area of all parcels on which the commercial solar energy system is located.**

Figure 3: Commercial Solar Energy Lot Coverage Illustration



(3) Commercial solar energy systems must be located on lots larger than 2 acres.

(4) Visual Buffer Requirements:

(i) **Residential Property:** When a commercial solar energy system is adjacent to a residential use, the system shall be set back at least **three hundred (300)** feet from the property line and at least **five hundred (500)** feet from any dwelling unit. A landscaped visual buffer shall be provided within the setback area that obscures the commercial solar energy system from view.

(ii) **Street Frontage:** Commercial solar energy systems shall be setback at least **three hundred (300)** feet from any road right-of-way. A landscaped visual buffer shall be provided within the setback area that obscures the commercial solar energy system from view.

(iii) **Visual Buffer:** A required landscaped visual buffer, including a greenbelt and/or landscaped berm, that meets the minimum standards of Section 20-324 shall be installed to effectively screen the commercial solar energy system from view. The visual buffer shall be installed prior to the placement of solar collectors to the extent feasible and must be maintained by the property owner. The Planning Commission may require the installation of additional vegetation and other landscaping or visual screening in excess the minimum requirements to screen residential districts and uses. The planting of native ground covers shall be maintained on site during the operation, until the site is decommissioned.

(iv) **Setback:** Required setback areas and visual buffers may be used for agricultural purposes or left in a natural state. In addition to the residential and street frontage setback requirements in this section, commercial solar energy systems shall meet the required front, side, and rear setbacks for the RSA zoning district. If a commercial solar energy system is located on a site that includes multiple parcels that form a single contiguous site, the setback requirement may be waived by the Planning Commission during site plan review.

(v) The Planning Commission may approve substitution of vegetation for an obscuring fence, wall, and other protective barriers as long as it meets requirements in Sec. 20-408.

(vi) The planting of native ground covers shall be maintained on site during the operation, until the site is decommissioned.

(5) The applicant shall provide verification that adequate infrastructure exists to transport the electricity generated by the commercial solar energy system into the larger grid system.

- (6) Power and communication lines running between banks of solar energy collectors may be placed above ground, provided the lines are placed no higher than the top of the solar panels.
- (7) Power and communication lines to electric substations or interconnections with buildings shall be buried underground. The requirement for underground power and communication lines may be waived in the following circumstances.
 - (i) Where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
 - (ii) When required by the utility company.
 - (iii) When granted a waiver by the Planning Commission during site plan review.
- (8) The installation of the ground-mounted solar energy collectors shall not disturb the existing topography.
- (9) Commercial solar energy systems shall be centrally located on a property, or in the least visibly intrusive location whenever possible.

(c) Decommissioning:

- (1) Any commercial solar energy system that is not operated or found to be inoperable due to disrepair for a continuous period of six (6) months shall be considered abandoned. If it is found abandoned, the Planning Commission, upon notice by the Zoning Administrator, shall provide written notice to the applicant/owner/operator of a hearing before the Planning Commission to hear evidence that the commercial solar energy system should not be decommissioned.
- (2) If a commercial solar energy system is repaired, a Licensed Professional Engineer (hired at the expense of the owner or operator) shall certify its safety prior to the resumption of operation.
- (3) Within ninety (90) days of the hearing where the Planning Commission has determined that a commercial solar energy system is abandoned or inoperable, the owner/operator shall obtain a permit from the township, and any other necessary entities to remove all structures and equipment, consistent with the approved decommissioning plan.
- (4) Failure to obtain necessary permits within the 90-day period provided in this subsection shall be grounds for the township to remove the commercial solar energy system at the Owner's expense, consistent with the decommissioning plan.
- (5) Decommissioning shall include removal of all equipment, including all materials above and below ground, and internal or perimeter access roads. The site shall be restored to a condition that reflects the character of the site prior to installation of the commercial solar energy system including topography, vegetation, soils, drainage, and any unique environmental features.

- (6) The restoration shall include road repair and hazardous waste cleanup, if any, all re-grading, soil stabilization, and re-vegetation necessary to return the subject property to a stable condition consistent with conditions existing prior to establishment of the commercial solar energy system.
- (7) The restoration process shall comply with all state, county, or local erosion control, soil stabilization, and/or runoff requirements or ordinances and shall be completed within one year. Extensions may be granted upon request to the Planning Commission prior to expiration of the one-year requirement for completed decommissioning.

(d) Decommissioning Plan:

- (1) Prior to site plan approval, a commercial solar energy system shall have a plan approved by the township for decommissioning the site that describes the expected duration of the project, how the improvements will be decommissioned, a Professional Engineer's estimated cost of decommissioning, and the financial resources necessary to accomplish decommissioning. The decommissioning plan shall address all applicable items in the previous subsection as well as the following.
 - (i) The financial resources for decommissioning shall be in the form of a bond or similar financial instrument with a replenishment obligation and shall be deposited by an agent acceptable to the township.
 - (ii) The financial resources for decommissioning shall be one hundred twenty-five (125%) percent of the estimated removal and restoration cost. The Planning Commission shall require independent verification of the adequacy of this amount from a Professional Engineer.
 - (iii) The planning commission, building official, and zoning administrator shall annually review the amount deposited for removal, site restoration, and administration costs to ensure it is adequate for these purposes. If the Planning Commission determines that these amounts are not adequate, the township shall require the owner/operator to make additional deposits to increase the amount of the surety bond to cure such inadequacy.
 - (iv) If decommissioning is not completed by the applicant within one year of receiving the necessary permits for decommissioning, the township shall have access to the financial resources for the expressed purpose of completing decommissioning. Funds may be used for administrative fees and costs associated with decommissioning.
 - (v) The township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

- (vi) The township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the right to seek reimbursement from the applicant or applicant's successor for decommissioning costs in excess of the amount provided for in the decommissioning plan and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.

(e) Change in Ownership

(1) The Township must be notified in advance of any change in ownership of a commercial solar energy system. The following information shall be provided in the notification:

- (i) The current owner's name, address, and contact information (email and phone number).**
- (ii) The proposed new owner's name, address, and contact information (email and phone number).**
- (iii) The property address, including Parcel ID number.**
- (iv) If there is to be a change in responsibility for oversight and operation of the system, the name, address and contact information for the new operator (email and phone number) will be required as well.**

Buffers and Limits for Commercial Solar Energy Systems		
Municipality	Ordinance	Decision
Montrose Township	<p><i>Please note this is a current Text Amendment and is not adopted as of 8/16/22.</i></p> <p>Section 153.006</p> <p>5. Commercial Solar Energy Systems are not subject to any maximum lot coverage restrictions, however, any other regulated structure located on the parcel are subject to the maximum lot coverage restrictions for the zoning district in which it is located.</p>	<p>No specific maximum coverage.</p> <p>Draft ordinance includes setback and minimum lot size.</p>
Clayton Township	<p>Section 152.041</p> <p>b. Commercial solar energy systems shall only be constructed on Residential Agricultural District (RA) parcels with a minimum of 20 acres</p> <p>f. Commercial solar energy shall be installed a minimum of one hundred (100) feet from the property line or right-of-way line.</p>	<p>No specific maximum acreage, however, there is a lot size minimum along with setback requirements and is subject to Site Development review.</p>
Vienna Township	<p>Article 22 Special Land Use</p> <p>43.i. an industrial solar energy collector must conform to all standards of the zoning district in which it is located.</p>	<p>There are provisions for setback and minimum parcel size. The maximum coverage is determined by the zoning district it is classified as.</p>
Chesaning Township	<p>Chapter 6, Section 633</p> <p>Maximum lot size 100 acres</p> <p>Maximum lot coverage: Maximum lot coverage restrictions shall not apply to photovoltaic solar panels. Any other regulated structures on the parcel are subject to the maximum lot coverage restrictions of the underlying zoning district.</p>	<p>No max coverage. Ordinance has minimum and maximum lot size and minimum setbacks.</p>
Mt Morris Township	<p>18.53: Solar Energy Collector Systems</p> <p>H. Zoning Standards. A Ground-Mounted Solar Energy Collector System must meet all standards of the zoning district in which it is located.</p>	<p>The maximum coverage is determined by the zoning district it is classified as.</p>

Buffers and Limits for Commercial Solar Energy Systems		
Municipality	Ordinance	Decision
Shiawassee County	Section 4.3.77.3.D Setbacks. All Photovoltaic (PV) systems and support structures associated with such facilities (excluding perimeter fencing) shall be setback a minimum of 40 feet from a side or rear property line and a minimum of fifty (50) feet from any road right-of-way.	Only setbacks must conform to all ordinance requirements and other applicable ordinances, rules and regulations (4.3.77.C)
Caledonia Township	Maximum size. Commercial Solar energy Collectors shall not exceed 160 acres in size. Minimum Separation. A commercial Solar Energy Collector shall not be located within one mile of an existing Commercial Solar Energy Collector.	No lot coverage limitation. Also includes setbacks and landscaping buffers.
Forest Township	The total size of a commercial solar energy system located on a single parcel or multiple parcels that form a single contiguous site shall be no greater than 160 acres. Commercial solar energy systems shall be located at least one mile from all other commercial solar energy systems, whether located in Forest Township or an adjacent jurisdiction.	No lot coverage limitation. Also includes setbacks and landscaping buffers.
Pittsfield Township	The total area of ground-mounted solar energy collectors shall be included in the calculation of the maximum permitted lot coverage requirement for the parcel of land.	No buffer or maximum size limitations.

REZONING REQUEST FORM

REZONING Request Case No. _____
Rezoning Fee: \$950 receipt# 40024
Date Paid: 8/11/22
Date Notice was Published: _____
Date of Public Hearing: _____
Affidavit Attached: _____

FLUSHING TOWNSHIP PLANNING COMMISSION REZONING REQUEST

Required information from owner or person having interest in requesting Planning Commission (PC) review and opinion.

1. Name of applicant/owner requesting PC review and opinion.

A. Applicant

Name: Shahid Imran
Address: 7560 River Road Flushing MI 48433
Phone: _____

B. Owner of property if different than above

Name: JCS Oak LLC Estates (Joseph C Schmitt Trust) (Gail Urchyk Trustee)
Address: 170 Lenell Road Unit 301 Fort Myers Beach FL 33931
Phone: _____

2. Location of Property:

Street number and name: 7533 N. Mckinley Road Flushing MI 48433
Property tax identification number: 0812000008
Legal description of property involved: 0810200008 T8NR5E 20 A (88/99) FR 0800012001

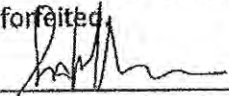
List deed restrictions and easements: _____

Present Zoning of property: C2/RU3

Requested Zoning change to: RU2

- a. With all requests, a site plan must be submitted (see attached site plan form)
- b. What is the purpose of the request for the Rezoning?
We are proposing to develop 76 attached 1 family units that are 4/8 continuous complex buildings. These villas will have the luxury of a clubhouse and access to the Flint River scenery. Along with a secure / gated community. We are proposing to rezone to RU2 as recommended by the city. Zoning from C2/RU3 to RU2 will lower the zoning intensity which will be more equivalent to the current parcels zoned nearby. This will also fit more appropriately with the city Future land Use Map.

ACKNOWLEDGEMENT AND CERTIFICATION: It is hereby acknowledged that the applicant(s) has fully read and completed the above application. It is also understood that in case of cancellation or failure of the owner or his representative to appear at the hearing, I understand that all fees will be forfeited.



 Signature of Applicant

Assort LLC by Joseph C. Schmitt Trust Dated 10/12/2016
by Mail of Under Jr Trustee

 Signature of Owner
 (if different than applicant)

PLANNING COMMISSION:

The Planning Commission (PC) having reviewed the submitted data do hereby:

() APPROVE () DISAPPROVE the application for the following reasons: _____

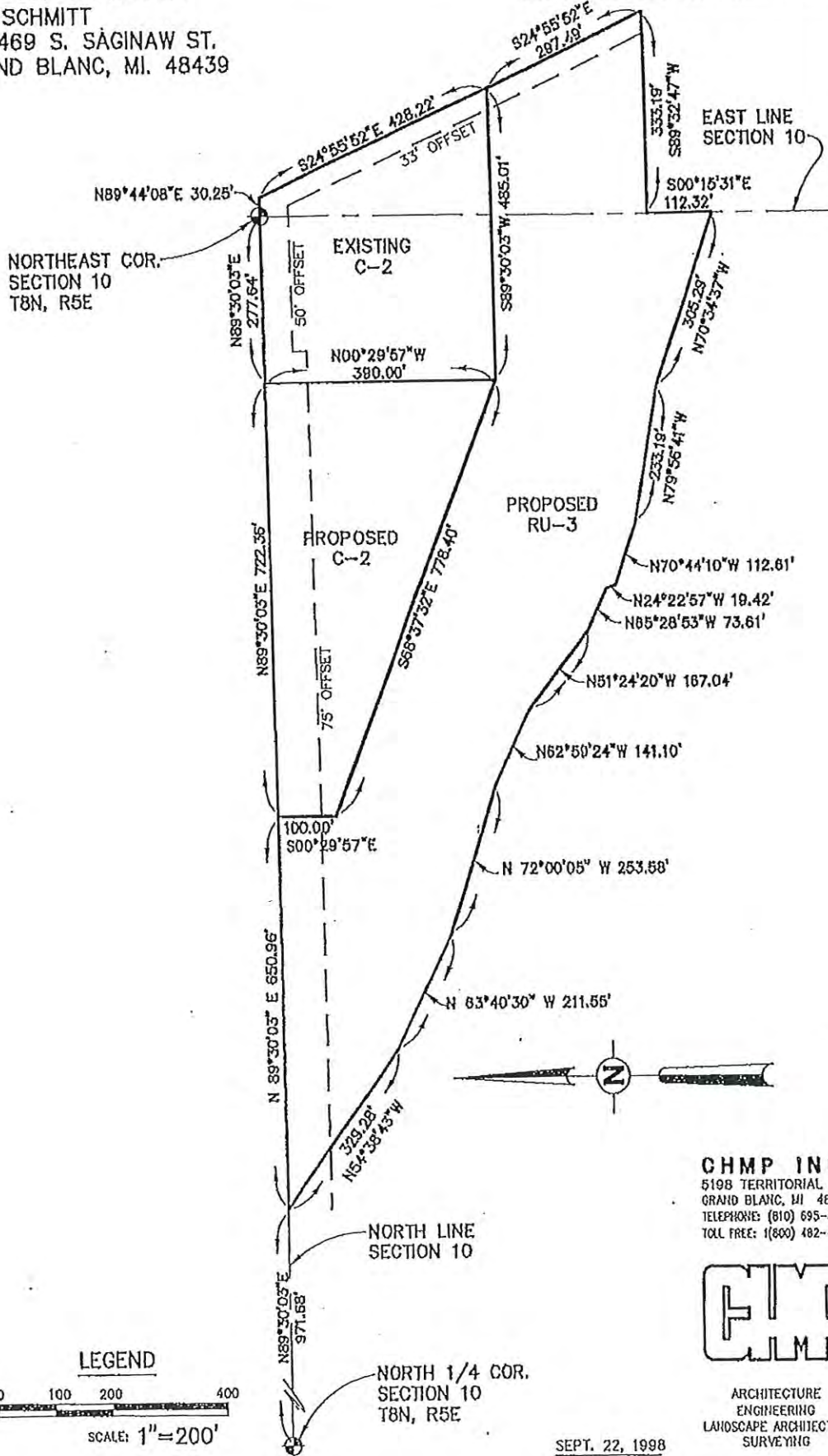
If approved, are there conditions? _____

Date: _____

 Chairperson

PROPERTY SKETCH
 JOE SCHMITT
 G-8469 S. SAGINAW ST.
 GRAND BLANC, MI. 48439

Sheet 1 of 2 Job No. 98018500



CHMP INC.
 5198 TERRITORIAL RD.
 GRAND BLANC, MI 48439
 TELEPHONES (810) 695-5910
 TOLL FREE: 1(800) 482-4562



ARCHITECTURE
 ENGINEERING
 LANDSCAPE ARCHITECTURE
 SURVEYING

SEPT. 22, 1998
 DATE

PROPERTY SKETCH

Sheet 2 of 2 Job No. 98018500

JOE SCHMITT
G--8469 S. SAGINAW ST.
GRAND BLANC, MI. 48439

Proposed RU-3

Part of the North 1/2 of the Northeast fractional 1/4 of Section 10 and part of the Northwest fractional 1/4 of Section 11, T8N, R5E, Flushing Township, Genesee County, Michigan, described as beginning at a point on the centerline of McKinley Road North 89 degrees 44 minutes 08 seconds East 30.25 feet and South 24 degrees 55 minutes 52 seconds East 428.22 feet from the Northeast corner of Section 10; thence South 24 degrees 55 minutes 52 seconds East 297.49 feet along the centerline of McKinley Road; thence South 89 degrees 32 minutes 47 seconds West 333.19 feet to a point on the East line of said Section 10; thence South 00 degrees 15 minutes 31 seconds East, along said East line, 112.32 feet to a point on a traverse line along the Northeasterly bank of the Flint River; thence along said traverse line in the following ten (10) courses: (1) North 70 degrees 34 minutes 37 seconds West 305.29 feet, (2) North 79 degrees 56 minutes 41 seconds West 233.19 feet, (3) North 70 degrees 44 minutes 10 seconds West 112.61 feet, (4) North 24 degrees 22 minutes 57 seconds West 19.42 feet, (5) North 65 degrees 28 minutes 53 seconds West 73.81 feet, (6) North 51 degrees 24 minutes 20 seconds West 167.04 feet, (7) North 62 degrees 59 minutes 24 seconds West 141.10 feet, (8) North 72 degrees 00 minutes 05 seconds West 253.58 feet, (9) North 63 degrees 40 minutes 30 seconds West 211.55 feet and (10) North 54 degrees 03 minutes 38 seconds West 329.28 feet to a point on the North line of said Section 10 and the terminus of said traverse line; thence North 89 degrees 30 minutes 03 seconds East, along the North line of said Section, 650.96 feet; thence South 00 degrees 29 minutes 57 seconds East 100.00 feet; thence South 68 degrees 37 minutes 32 seconds East 778.40 feet; thence North 89 degrees 30 minutes 03 seconds East 485.01 feet to a point on the centerline of McKinley Road being the point of beginning.

Proposed C-2

Part of the North 1/2 of the Northeast fractional 1/4 of Section 10, T8N, R5E, Flushing Township, Genesee County, Michigan, described as beginning at a point on the North line of said Section 10, South 89 degrees 30 minutes 03 seconds West 277.64 feet from the Northeast corner of said Section; thence South 00 degrees 29 minutes 57 seconds East 390.00 feet; thence North 68 degrees 37 minutes 32 seconds West 778.40 feet; thence North 00 degrees 29 minutes 57 seconds West 100.00 feet to a point on the North line of said Section 10; thence North 89 degrees 30 minutes 03 seconds East 722.36 feet along the said North line to the point of beginning.

CHMP INC.
5118 TERRITORIAL RD.
GRAND BLANC, MI 48439
TELEPHONE: (810) 695-5910
TOLL FREE: 1(800) 482-4562



ARCHITECTURE
ENGINEERING
LANDSCAPE ARCHITECTURE
SURVEYING

SEPT. 22, 1998
DATE

CHARTER TOWNSHIP OF FLUSHING

6524 North Seymour Road
Flushing, Michigan 48433
(810) 659-0800 • Fax (810) 659-4212

Andrew Trogot - Supervisor
Ida M. Reed - Clerk
Carl G. Liepmann - Treasurer

Trustees
Ronald R. Flowers
Ann L. Fotenakes
Lynn C. McLean
Brian Pratt

October 2, 1998

Re Flushing Township Planning Commission Meeting


Property Owners:

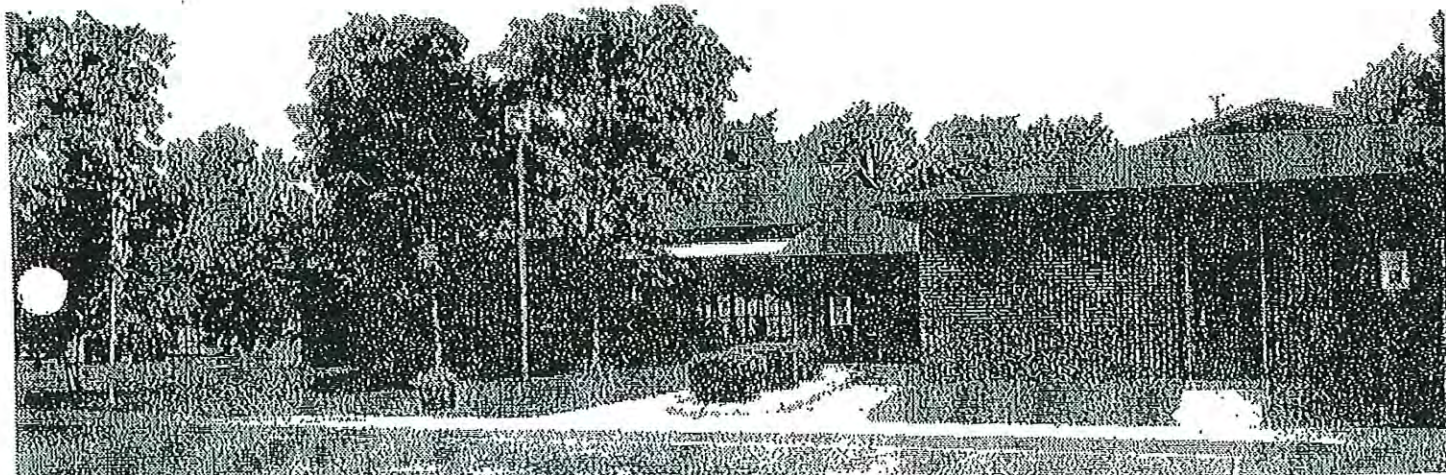
Joseph Schmitt petitioned the Flushing Township Planning Commission to hear a request to re-zone parcels # (08-10-200-008) and (08-11-200-001) located on the southwest corner of Mt. Morris and McKinley Roads. See attached public notice.

As you own property within 300 feet of the request, you are hereby notified of a Regular Meeting of the Flushing Township Planning Commission to be held on Monday, November 9, 1998, at 7:00 p.m. in the Flushing Township Hall located at 6524 N. Seymour Road, Flushing Michigan.

If you are unable to attend this meeting, you may submit a letter to this office prior to the meeting stating your position. Send your letter to the attention of Jerry Fitch, Building Inspector of Flushing Charter Township.

Sincerely,


Gerald W. Fitch, Building Inspector



FLUSHING CHARTER TOWNSHIP
6524 N. SEYMOUR ROAD
FLUSHING, MICHIGAN 48433

PLANNING COMMISSION WORKMEETING
DATE: NOVEMBER 9, 1998 TIME: 7:00 P.M.

MEMBERS PRESENT:

Jerry Doyle, Chairman
Robert Gensheimer, Vice Chairman
Harvey Workman, Secretary
Ann Fotenakes, Representative from the Township

Curtis Caterer
David Scheidemantel
Eric Swanson

MEMBERS ABSENT:

ALSO PRESENT: Jerald W. Fitch, Building Inspector, Ida M. Reed, Recording Secretary, Joseph Schmitt and 13 area residents

CALL THE MEETING TO ORDER: Chairman Doyle opened the meeting at 7:05 p.m.

APPROVAL OF AGENDA: FOTENAKES MOVED seconded by Workman to approve the agenda as presented. MOTION CARRIED.

APPROVAL OF PREVIOUS MINUTES: GENSHEIMER MOVED, seconded by Fotenakes to approve the minutes of 10/12/98 with corrections and additions. MOTION CARRIED.

PUBLIC HEARING: Joseph Schmitt petitioned the Flushing Township Planning Commission to hear a request to rezone parcels # (08-10-200-008) #(08-11-200-001) and (08-10-200-008) located on the southwest corner of Mt. Morris and McKinley Roads.

There were two publications in the paper and letters were sent to residents living within 300 feet of the requested rezoning.

CHAIRMAN DOYLE asked Mr. Schmitt to explain his request.

MR. SCHMITT presented a map to show the dimensions of the property that he wished to rezone. This map is included with the minutes. The total size of the property is approximately 21 acres. Presently there exists a small portion of the property on Mt. Morris Road that has 277.64 feet frontage and is 390.00 feet deep that is zoned C-2. The rest of the property is zoned RSA. He wishes to add additional property to the C-2 zoning, which would increase it to approximately 7 acres of commercial zoned property. The C-2 District is intended to provide an area for establishment of a general business district within the township. The commercial uses are listed in the Flushing Township Zoning Book on page XIV-1, XIV-2 and XIV-3.

They have not decided for sure what they will do with this piece of property, but have a few conceptual drawings. They have checked on grocery and restaurant franchises, but this location does not meet the numbers for this type of development. The north and south traffic numbers total 2000 per day, and the east and west traffic numbers total 7,500 per day. They have looked into different uses, such as a daytime restaurant or a small medical building. These are a couple ideas that have been suggested by people in the area.

11/9/98 planning

Mr. Schmitt is asking to have the rest of the RSA property rezoned to Ru-3. This is an elongated piece of property that borders the Flint River and extends from McKinley Road to Mt. Morris Road, and is approximately 14 acres in size. The purpose of the RU-3 District is to provide appropriate areas for high-density multi-family developments and complimentary uses. Those uses are listed in your zoning book on pages X-1 and X1-2.

They would like to develop the residential district first. They want to build just under 80 condominiums and apartments on the ridge above the Flint River. There is a lot of development in the area, and people are taking advantage of the beautiful river area.

The long-term development plan for this property is about 3 years, but they see a need for this type of development. Water and sewer is available on Mt. Morris Road. The apartments would rent for approximately \$550 to \$1100 a month. The condominiums would sell for approximately \$160,000 to \$225,000.

CHAIRMAN DOYLE stated that this is a legitimate use of the property, and it is a good blend for the property in this area. There is C-2 zoning on the other side of Mt. Morris Road that extends east and west on Mt. Morris Road. There is a mobile home park on the opposite side of the Flint River, and another proposed modular home-park on the east side of McKinley Road in the same general area of the requested RU-3 zoning. If this rezoning is approved, then we will get into the particulars of the development through the site plan review procedure. The only issue we need to be concerned with tonight is the rezoning request by Mr. Schmitt.

CHAIRMAN DOYLE opened the public hearing up to public comment.

BARBARA CISCO lives right next door to the proposed development. She has lived there for quite some time and she likes the quiet country setting, and objects to the development, because of the noise it would create. She was also concerned that rental apartments would bring in people who might be trouble makers, also that the parking and driveways would be too close to her house

CARL LIEPMANN lives at 9144 Mt. Morris Road, and stated that the Planning Commission has the right to make a good decision. He would like to see the property developed according to the Flushing Township Master Plan. The C-2 zoning is a good use of that land. He doesn't have a problem with the RU-3 zoning, but would favor seeing all condominiums built there, rather than apartments. One of the reasons we installed sewer and water lines along Mt. Morris Road was to encourage development in that area. He likes the idea of a daytime restaurant and doctor's offices. Affordable housing is something we need in the area, and a Modular Home Park is going to be developed on McKinley Road just south of this request. He tends to agree with Chairman Doyle, the apartments are an upgrade from a Mobile Home Park.

GENSHEIMER, SCHEIDEMANTEL, WORKMAN AND FOTENAKES had some concerns about what would be developed in the proposed C-2 zoning district, and they also had concerns about the housing density that would be created if the RU-3 was approved. They were more comfortable with the RU-2 zoning, because it limited the density.

CHAIRMAN DOYLE stated that the Planning Commission must act on the request as presented by Mr. Schmitt, and that was for a C-2 re-zoning and a RU-3 re-zoning.

11/9/98 planning

GENSHEIMER MOVED, seconded by Workman to recommend to the Flushing Township Board that the re-zoning request presented by Mr. Schmitt for a C-2 zoning and a RU-3 zoning be denied based on the information presented. Yes: Gensheimer and Workman. No: Fotenakes, Caterer, Scheidemantel, Swanson and Doyle. MOTION FAILED.

SCHEIDEMANTEL MOVED, seconded by Fotenakes to recommend to the Flushing Township Board that the C-2 rezoning request be approved, because it is a legitimate use of the property according to our Master Plan. There are also several parcels across the street on Mt. Morris Road that are zoned C-2. Yes: Caterer, Swanson, Scheidemantel, Fotenakes and Doyle. No: Workman and Gensheimer. MOTION CARRIED.

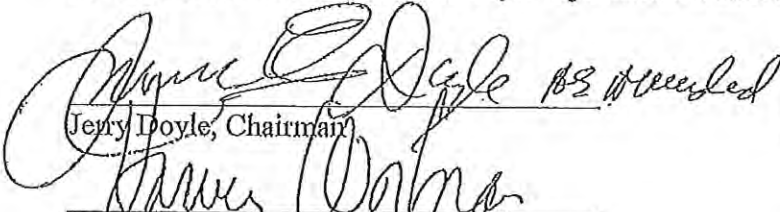
SWANSON MOVED, seconded by Caterer to recommend to the Flushing Township Board that the RU-3 re-zoning request by Mr. Schmitt be approved. It is a good blend of zoning according to our Master Plan, and it is close to a mobile home park. Yes: Caterer, Swanson and Doyle. No: Scheidemantel, Workman, Gensheimer and Fotenakes. MOTION FAILED

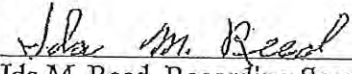
CHAIRMAN DOYLE informed Mr. Schmitt that these decisions would be sent to the Flushing Township Board for their consideration. If the board approves the Planning Commission's recommendations and Mr. Schmitt does not get the RU-3 zoning, then he could come back to the Planning Commission for further consideration of his request for other zoning.

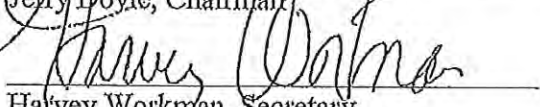
THE NEXT WORKMEETING will be held on Monday, November 23, 1998 at 7:00 p.m.

NEXT REGULAR SCHEDULED MEETING will be held on Monday, December 14, 1998 at 7:00 p.m.

ADJOURNMENT: Chairman Doyle adjourned the meeting at 9:00 p.m.

Handwritten: existing commercial zoning at Doyle

Jerry Doyle, Chairman


Ida M. Reed, Recording Secretary


Harvey Workman, Secretary

5/17/99
Date of Approval

CHARTER TOWNSHIP OF FLUSHING
6524 N. SEYMOUR ROAD
FLUSHING, MICHIGAN 48433
REGULAR BOARD MEETING

DATE: DECEMBER 10, 1998

TIME: 7:00 P.M.

MEMBERS PRESENT

SUPERVISOR: Andrew Trogot
CLERK: Ida M. Reed
TREASURER: Carl G. Liepmann

TRUSTEES

Ronald R. Flowers
Ann L. Fotenakes
Lynn C. McLean
Brian Pratt

MEMBERS ABSENT:

ALSO PRESENT: Attorney John Siler, Heritage Newspaper reporter Sally York, and 30 area residents.

CHAIRMAN TROGOT opened the meeting with roll call, and led in the Pledge of Allegiance to the Flag.

ADOPT THE AGENDA: FOTENAKES MOVED, seconded by Liepmann to approve the agenda with one addition. At the end of this meeting the board will adjourn for an executive session concerning pending litigation. MOTION CARRIED.

APPROVE PREVIOUS MINUTES: McLEAN MOVED, seconded by Flowers to approve the minutes of November 12, 1998 with correction on page one under Unfinished Business. Ordinance number should be #70-98. MOTION CARRIED

APPROVE PAYMENT OF BILLS: FOTENAKES MOVED, seconded by Flowers to approve payment of bills listed. Bills listed for payment that have already been paid total \$127,822.42. Bills listed for payments that need to be paid total \$52,989.17 Yes: Flowers, Fotenakes, Liepmann, McLean, Pratt, Reed and Trogot. No: 0. MOTION CARRIED

PUBLIC HEARING ON REZONING REQUEST BY JOSEPH SCHMITT: SUPERVISOR TROGOT recessed the regular meeting and opened the public hearing at 7:03 p.m. and asked Mr. Schmitt to explain his request. Mr. Schmitt turned it over to Attorney Rick Austin to explain the rezoning request.

ATTORNEY AUSTIN explained that the 19.8 acres of property under consideration is located on the South West corner of McKinley and Mt. Morris Roads. The proposed request is to rezone part of the RSA zoning classification to RU-3, and rezone the rest of the RSA zoning classification to C-2 zoning classification. A small portion of the 19.8 acres has been a C-2 zoning classification since 1987. He pointed out that municipal water and sewer are available at this location.

The first request under consideration is for 12 of the 19.8 acres. The proposed request is to rezone part of the North ½ of the North East fractional ¼ of Section 10 and part of the North West fractional ¼ of Section 11, Flushing Township, Genesee County from present RSA zoning classification to RU-3 zoning classification. The purpose of this district is to provide appropriate areas for high-density multi-family developments and complimentary uses.

The second proposed request is for the remainder of the RSA zoning district. The proposed request is to rezone part of the North ½ of the North East fractional ¼ of Section 10, Flushing Township, Genesee County Michigan from present RSA to C-2 zoning classification. The purpose of this district is intended to provide an area from the establishment of a general business district within the township.

They are requesting the RU-3 zoning for proposed town houses and/or condominiums. C-2 zoning has many possibilities including, but not limited to, a restaurant, medical facility, car wash or small mall.

Mr. Austin referred to the Planning Commission minutes of November 9, 1998. They recommended approval of the C-2 rezoning request, but they did not recommend approval of the RU-3 rezoning request. It appears their biggest concern was the density of the RU-3, and the reference to apartments.

12/10/98 regular

JOSPEH SCHMITT presented several 8" by 10" color photos of other condominium developments he built to sell, and apartments he has built and manages. Some of his developments are located in Owosso, Davison, Squire Lake, Bloomfield Hills and Farmington Hills. Mr. Schmitt introduced Architect Jim Sporer with the firm C.H.M.P. out of Grand Blanc.

MR. SPORER explained that the site has certain limitations but also many opportunities. The topography of the parcel will limit the density, and this development will not come close to the density that is allowed under a RU-3 OR RU-2. The difference in the two zoning classifications is in the set back requirements. The set back requirement is greater in the RU-3 zoning classification.

MR. AUSTIN referred to several sections in the Flushing Township Master Plan. Under Housing Stock it was predicted that we would have 1.9% high density housing in 1995, and 2.8% high density housing in the township by the year 2000. At the present time we have 1% high density housing, and that consists of 2 buildings with 36 apartments in each on McKinley Road near Carpenter Road.

The idea for this development was planned around the Flushing Township Master Plan. It is a good development for this area, given the surrounding businesses and the two RU-4 zoning classifications on either side of the river.

According to the Master Plan there is a current lack of a reasonable mix of affordable housing. The selection of housing types is limited primarily to single family housing. In considering this rezoning request, the primary question to ask is, "Does this request conform to our land use plan?" Other questions to consider are: "Was there an error in the Plan?" "Have there been relevant changes in conditions since the plan was approved?" "Have there been changes in the goals and policies of the plan?" They feel their request conforms to the Flushing Township Master Plan, and they urge the board to approve the RU-3 and the C-2 zoning classification they have requested.

There were no comments from the public.

PRATT asked if this request is approved will there be any open spaces planned for children, will they try to save some of the trees?

MR. SPORER stated there is nothing definite at this time, but there is a possibility of walking trails, fishing pier and on the upper level maybe a gazebo and picnic area. There will be a lot of open space because of the topography. He isn't sure how the trees will be worked into the landscape, but he believes that trees make the property more valuable.

REED stated that she had walked the property and it is a beautiful piece of land. The Planning Commission and the board worked very hard on the Master Plan, and the type of zoning Mr. Schmitt requested is what the Master Plan calls for in that area. With C-2 zoning across the street and Ru-4 on both sides of the river, what better use of that piece of property than C-2 and RU-3. I want out township to develop in such a way that it will complement our township, and she believes this is a very positive proposal.

DISCUSSION ensued between the board members, Mr. Schmitt, Mr. Austin and Mr. Sporer.

SUPERVISOR TROTOGOT called for a motion on the request.

LIBPMANN MOVED, seconded by Pratt to approve the recommendation of the Planning Commission and grant the request for (08-10-200-008) and rezone part of the North ½ of the North East fractional ¼ of Section 10 from present RSA zoning classification to C-2 zoning classification. To reject the Planning Commission's recommendation to not grant the RU-3 zoning classification. It was moved and seconded to grant the rezoning request for (08-10-200-008) and (008-11-200-001), and rezone part of the North ½ of the North East fractional ¼ of Section 10 and part of the North West fractional ¼ of Section 11 from present RSA zoning classification to RU-3 zoning classification. Yes: Fotenakes, Liepmann, McLean, Pratt, Reed and Trotogot. No: Flowers. MOTION CARRIED

SUPERVISOR TROTOGOT adjourned the public hearing on the rezoning request at 8:00 p.m.

LIEPMANN MOVED, seconded by Pratt to require that a check valve shall be installed at homes where they are on a sewer line that requires a forced main. Yes: 7. No: 0. MOTION CARRIED.

BS & A SOFTWARE FOR ASSESSOR: REED reported that the BS & A Software the Assessor is using needs to be updated. This will cost \$500 with a maintenance agreement of \$900 per year. The maintenance agreement is an increase of \$400 over last year. The maintenance agreement in the amount of \$500 has been paid for 1999. They will not increase the maintenance agreement until the year 2000.

FOTENAKES MOVED, seconded by Liepmann to approve the BS & A Software update in the amount of \$500 for the assessor and the increased maintenance agreement to \$900 to begin with the year 2000. Yes: Flowers, Fotenakes, Liepmann, McLean, Pratt, Reed and Trogot. No: 0. MOTION CARRIED

APPROVE MEETING DATES, BOARD APPOINTMENTS, COMMITTEES AND COMPENSATION COMMISSION MEMBERS: LIEPMANN MOVED, seconded by Fotenakes to approve Meeting Dates, Board Appointments, Committee Appointments, and Compensation Commission members for 1999 as presented by the Clerk. MOTION CARRIED.

FLUSHING TOWNSHIP PARKS AND RECREATION COMMISSION POLICY:

LIEPMANN brought a proposal to the board concerning a policy for the Township Parks and Recreation Commission. This program requires a lot of responsibility from the members, not only now, but also in the future, if we want to have a successful park program. We need a policy established by the board to give the members guidelines for their responsibilities. He is also recommending compensation for the members and the recording secretary.

Flushing Township Parks and Recreation Commission Policy

Goals and Purpose: The purpose of the Commission shall be to administer, coordinate, promote and maintain the township parks and recreation facilities and activities on any properties owned or used by the Charter Township of Flushing.

Duties and Powers: The Commission shall have the following powers:

- a. To administer public access to the recreation system.
- h. To recommend and submit the Parks and Recreation fund budget, for consideration by the township board.
- c. To adopt policies governing the general operation of the recreation system, including but not limited to personnel policies, and purchasing policies.
- d. Working within the confines of the board approved budget to receive income and pay expenses for the operation of the system.
- e. To purchase and maintain insurance to protect the interest of the commission and the township.
- f. To accept gifts, grants in aid, or other financial assistance from any public or private agency.
- g. To establish rules and regulations governing the use of the recreation system and to enforce those rules and regulations.
- h. To recommend fees or charges to be approved by the township board.
- i. To make and enter into contracts with public or private agencies subject to the budget and with board approval.

Revenues: The Parks and Recreation fund shall be derived from the franchise fees from Comcast Cable Co., grants, and other funds as approved by the township board.

The Commission: The commission shall be under the control of the Township Board and shall exercise the powers and duties as set forth in this policy. The Commission shall consist of six (6) members appointed by the Supervisor with approval of the township board. Two (2) members shall be members of the township board, and four (4) citizens at large who live in the township. Employees of the township shall not be restricted from serving on the commission. The chairman shall be appointed by the supervisor and shall be one of the two board members with the other board member serving as alternate chairman. Each member of the commission shall have one vote and the majority of those attending a meeting shall prevail. A quorum shall

UNFINISHED BUSINESS:

SECOND READING OF ORDINANCE #70-98:

REED MOVED, seconded by McLean to approve the second reading of Ordinance #70-98 to provide for the annual licensing of businesses offering entertainment to the general public. To enact procedures for the issuance and transfer of licenses. To define and prohibit sexually oriented businesses, and to provide penalties for violation of this ordinance. Yes: 7. No: 0. MOTION CARRIED.

SECOND READING OF ZONING AMENDMENT SECTION #20-403:

LIEPMANN MOVED, seconded by Flowers to approve the second reading of Zoning Amendment Sec. 20-403 to set regulations for one family dwelling. Yes: 7. No: 0. MOTION CARRIED.

SECOND READING OF ZONING AMENDMENT SECTION #20-1901:

LIEPMANN MOVED, seconded by Fotenakes to approve the second reading of Zoning Amendment Sec. 20-1901 that specifies developments requiring site plans. Yes: 7. No: 0. MOTION CARRIED.

FIRST READING OF ZONING AMENDMENT SECTION #20-701: Square Footage of Lots: GREG COMPATA from the Genesee County Health Department was invited to this meeting to give his opinion on the issue of raised septic fields and if wider lots would be beneficial. There was considerable discussion, but there was no general consensus reached by the board. It was decided to send it back to the Planning Commission for re-consideration on this issue before they send it back to the board.

SECOND READING OF ZONING AMENDMENT SECTION #20-1804 (W):

FOTENAKES MOVED, seconded by Pratt to approve Zoning Amendment # 20-1804 to offer an alternative to traditional subdivisions through the use of planned unit development legislation, as authorized in Section 16 © of the Township Rural Zoning Act. These regulations are intended to preserve a traditional rural character to the land use pattern in the township through the creation of small residential nodes contrasting with open space and less intensive land uses. Yes: 7. No. MOTION CARRIED.

NEW BUSINESS

OPEN SEALED BIDS FOR JANITORIAL SERVICE: A HELP WANTED AD for janitorial service for the township offices and the police department was published twice in the Heritage Newspaper, and two bids were received. A bid was received from the current janitors, At Your Service, in the amount of \$848.00 per month for both departments. A second bid was received from Sewell's Cleaning Service. Their bid was by the week, but it averages out to \$866.00 per month.

The Sewell's have been cleaning the new police department since it was built, and Chief Kennedy is very satisfied with their work. He recommends them very highly. The clerk stated that she has not been satisfied with At Your Service. On numerous occasions she has had to bring to their attention something they didn't do, that should have been normal procedure. On numerous occasions she has had to mop floors and clean behind them, and does not recommend that they be given the bid.

LIEPMANN MOVED, seconded by McLean to award the bid for janitorial services to Sewell's Cleaning Service in the amount of \$120.00 per week for the township offices, and \$80.00 per week for the police department, for a total of \$200.00 per week for twice a week cleaning. Yes: Flowers, Fotenakes, Liepmann, McLean, Pratt, Reed and Trogot. No: 0. MOTION CARRIED

ADDRESS RESOLUTION REQUIRING A CHECK VALVE ON SEWER HOOK UP

WHERE THERE IS A FORCED MAIN: This resolution is needed because of the problems the township has had with sewer back up in areas where there is a forced main. When the electric power goes off the pumping stations don't function, and the sewage follows the least line of resistance and ends up in basements. We have had this happen on several occasions, because the homes are not required to install a check valve. A check valve installed at each home where there are pumping stations would eliminate this problem.

12/10/99 regular

CONCERTS IN THE PARK: POTENAKES reported the work that is being done on this Committee. They are also in need of more volunteers to work on this committee.

LEAF COMMITTEE: It was reported that there were 7000 cubic yards of leaves picked up this year.

FLUSHING TOWNSHIP NATURE PARK: LIEPMANN reported that the septic system has been installed at the nature park, and the committee is still trying to get someone to put down a well.

ATTORNEY SILER brought up the subject of Veterans Venders License. A veteran that lives in the township came into the office and stating that he had a license from Genesee County which allows him to sell anything anywhere in the county. He also gave the township a copy of a Veterans Venders License. Mr. Siler stated that this state statute may be a legal document, but it does not allow a veteran to override the township police powers.

PUBLIC COMMENTS: CHAIRMAN TROTOGOT asked if there was anyone in the audience who wished to address the board. He asked them to please state their name and address for the record.

There were no comments from the audience.

BOARD COMMENTS:

BOARD COMMENTS:

McLEAN asked Attorney Siler what was happening with the helicopter issue?

ATTORNEY SILER stated that he would be filing an injunction in the court again, to keep Mr. Kasper from flying his helicopter from his residence. He has the legal papers ready and will have the Supervisor and the Clerk sign them tonight after the meeting.

We had 30 people in the audience and they had nothing to say until the helicopter question came up. Several in the audience voiced their objections to the stand the township has taken on the helicopter issue. The complaints included statements such as: The township is taking away the Kasper's rights. We (The neighbors that voiced their opinion.) don't have a problem with the noise. We are losing a valuable asset by forcing the Kaspers to move out of the area. The helicopter is needed in this area for police work, medical reasons, and for finding lost children. They accused the board of listening to the neighbors that were complaining the most, and were not paying any attention to the silent majority.

ATTORNEY SILER stated that even though those that are present they do not have a problem with the noise, he has a stack of letters from neighbors that do have a problem with the noise. Mr. Kasper was aware of the zoning restrictions before he built anything on his property on McKinley Road. He knew that a heliport was not allowed in an RSA District, but was allowed in a C-2 District. For those concerned about use of a medical helicopter, a public service helicopter, from any establishment, would have the authority to land anyplace regardless of the zoning restrictions.

Mr. Siler has had a number of complaints that Mr. Kasper starts up his helicopter at night and just lets it run. That would seem to be a noise problem. Just because they own property does not give them the right to do anything they want on that property.

LIEPMANN stated that this situation was not made difficult by this board. The situation was that our ordinances were in place, and Mr. Kasper decided to disobey them. Mr. Kasper presented this problem to the board. It is a sad thing this has happened, but we have ordinances and they have to be adhered to.

PRATT pointed out that Mr. Kasper is not losing any rights, because the zoning never allowed a heliport there in the first place. He decided to do what he wished to do anyway, regardless what the zoning ordinance allows. The people that have contacted him at home are overwhelmingly against allowing a heliport next to them.

12/10/98 regular

be required for any action of the commission and shall be 4 members. Minutes of all meetings shall be kept by a clerk, appointed by the Commission, and approved at the next regular meeting.

Compliance with Certain Laws: The commission shall comply with the uniform budget and accounting act in the conduct of its financial affairs, including, but not limited to, submission of its annual budget to the township board for approval at a public hearing. The commission shall also comply with the Open Meetings Act, The Freedom of Information Act, and all general anti-discrimination laws, which are applicable to public bodies.

Funds of the Commission: The funds of the commission shall be maintained as a part of the general fund of the township.

Compensation: Members of the commission shall be compensated on a per meeting basis as approved by the township board.

Commission Compensation: Same as the Planning Commission and Appeals Board, which is \$50.00 per meeting, including the Recording Secretary.

LIEPMANN MOVED, seconded by Pratt to approve the Flushing Township Parks and Recreation Commission Policy as recommended by the Chairman of the Flushing Township Parks and Recreation Commission. Yes: 7 No: 0. MOTION CARRIED.

RECOMMENDED MEETING DATES.

The commission shall meet the first Wednesday of each month at 7:00 p.m.

January 6, 1999	July 7, 1999
February 3, 1999	August 4, 1999
March 3, 1999	September 1, 1999
April 7, 1999	October 6, 1999
May 5, 1999	November 3, 1999
June 2, 1999	December 1, 1999

COMMITTEE REPORTS:

TREASURER'S REPORT was received into the records. The Dental and Vision fund is still solvent. Liepmann reported that we have cash and receivables on hand in the amount of \$836,788.90 from water and sewer lines, and our total balance due on all water and sewer lines is \$730,097.50. He reported that in all intents and purposes the township is debt free.

BUILDING INSPECTOR'S REPORT was received into the record. Supervisor Trogotot reported that he approved the purchase of new BOCA Code Books for the Building Inspector. Additional books were also purchased for the attorneys to have at their disposal. There are occasions when the building inspector calls them on building issues, and they need the books for a reference. The total cost of the books was \$340.00

BUILDING PERMITS ISSUED FOR NOVEMBER 1998

NEW HOMES	5
ACCESSORY BUILDINGS	6
DECKS	1
ADDITIONS	1
GARAGES	2
TOTAL PERMITS ISSUED	15
PERMIT VALUATION FOR NOVEMBER 1997	454,081.00
PERMIT VALUATION FOR NOVEMBER 1998	907,636.00
PERMIT FEES COLLECTED FOR NOVEMBER 1998	2,440.00
TRAILER INSPECTIONS FOR NOVEMBER 1998	175.00
FOR A TOTAL OF	2,615.00
CONSTRUCTION TO DATE 1997	12,975,019.00
CONSTRUCTION TO DATE 1998	10,190,657.00
FOR A DECREASE OF	2,784,362.00

Attorney Siler stated that there was at one time discussion by the Township Board members about amending the zoning ordinance which would have allowed aircraft operations if someone had property of a certain size. Here is the problem. There is a document called Federal Preemption. What Federal Preemption means is, you cannot get involved in areas where the federal government has preempted the area, for example, aircraft operations. Federal Aviation regulations have taken over the theatre and totally govern anything involving aircraft operations. We thought we could require a certain size lot, and still limit it to private use, limit the number of aircraft operations a day, and certain size aircraft. We received a letter from the State of Michigan Department of Aeronautics saying that we could not do that. Our only right is to allow it or to disallow it. At that point the Township Planning Commission made a recommendation to the board that it should not be allowed. When the board found out they would not have any control over the operation after it was approved, they could not go forward with this type of proposal, and approved the recommendation of the Planning Commission

Mr. Siler further explained how we ended up in court over this issue. After Mr. Kasper withdrew his request for a commercial operation, and let it be known he was selling everything and moving up north, the township dropped the lawsuit. Since Mr. Kasper continues to fly in and out with the helicopter and then is just running the helicopter engine in the late evening, it became apparent that we needed to go back to court to put a stop to this operation.

SUPERVISOR TROTOGOT stated that we tried to work around this issue, and we just could not. Every time that helicopter started up or landed he received phone calls at the office and at all hours at his home. Our ordinance was in effect, and it needed to be followed. We turned it over to Mr. Siler and just went from there. It is unfortunate that we are losing him. He did great things for the police department, but people have a right to live in their homes under the stipulations that are listed in an RSA Zoning District.

ADJOURNMENT: As there was no further business the meeting was adjourned by Supervisor Trotogot at 9:25 p.m. The executive meeting on pending litigation is to commence in 5 minutes in the small meeting room.

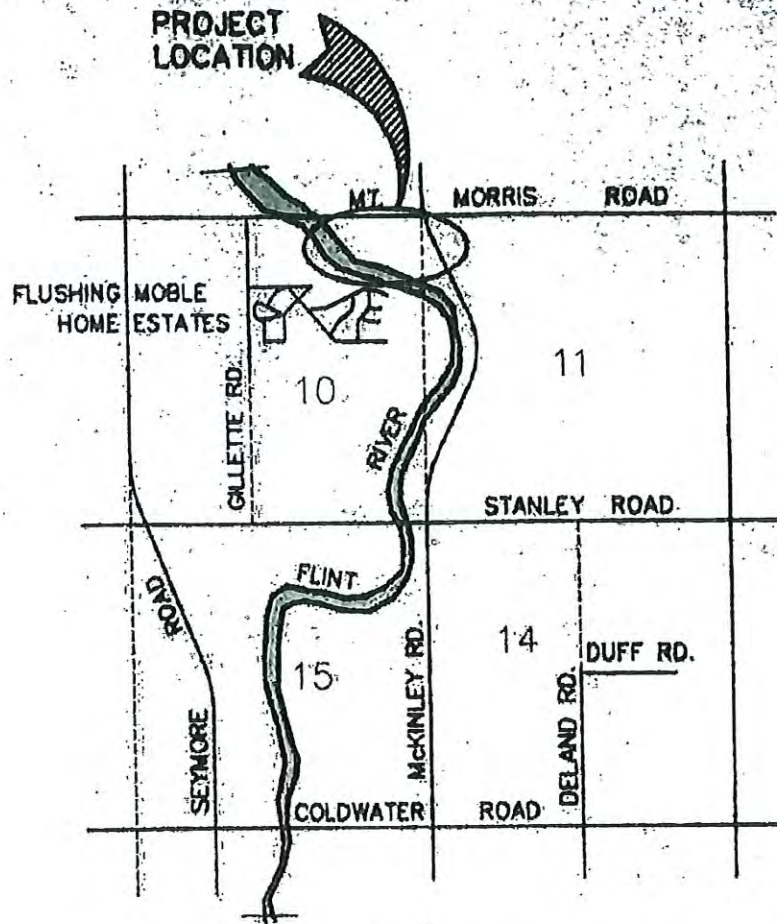
NEXT REGULAR MEETING of the Flushing Township Board of Trustees will be held on Thursday January 14, 1999 at 7:00 p.m.

Ida M. Reed
Ida M. Reed, Clerk

APPROVED: 1-14-99

Andrew Trotogot





LOCATION MAP

N.T.S.



C-2 ZONING PARCEL (PROPOSED)

- AREA: 7.61 ACRES GROSS
5.7 ACRES NET (W/O R/W)
- FRONT SETBACK: 80 FT.
- SIDE SETBACK: 80 FT.
- REAR SETBACK: 80 FT.

18,000 S.F. SALES AREA
PARKING REQUIRED: 180 SPACES

RU-3 ZONING PARCEL (PROPOSED)

AREA: 11.81 ACRES GROSS
10.63 ACRES NET (W/O R/W)

FRONT SETBACK: 80 FT.
SIDE SETBACK: 80 FT.
REAR SETBACK: 80 FT.

CONCEPTUAL USE:

2-3 STORY APARTMENTS (80 UNITS)
WITH OPEN SPACE, GAZEBO, PATHWAYS
AND DECKS / BOARDWALKS.

PARKING REQUIRED: 160 SPACES



NORTH

1" = 100'

CONCEPTUAL PLAN "B"

FOR: JOE SCHMITT
6-8469 S. SAGINAW ST.
GRAND BLANC, MI. 48439
(810) 695 - 1220

TY

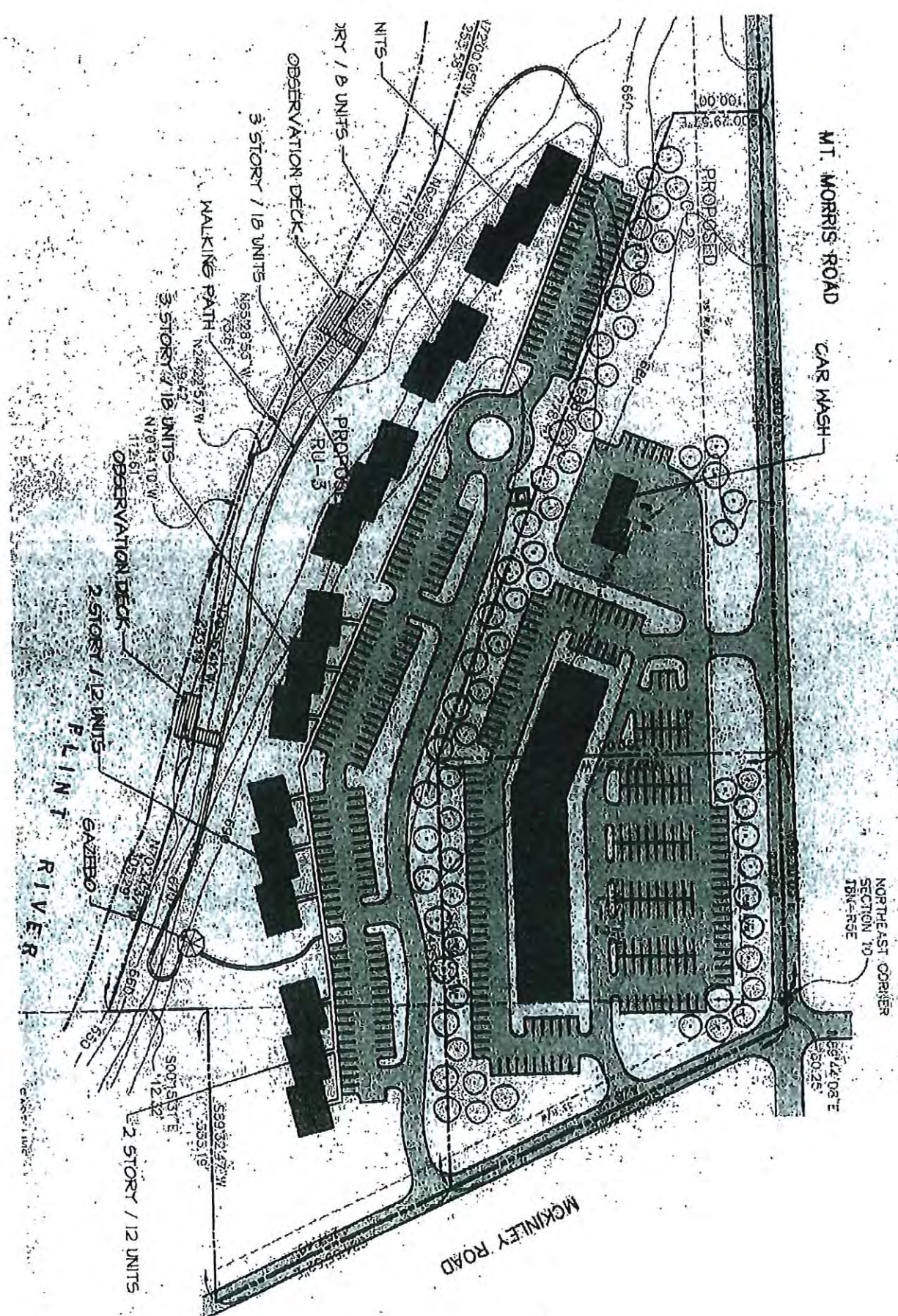
DATE DRAWN

9-23-98

SCALE

DATE REVISED

HORIZONTAL: 1"=100'



MT. MORRIS ROAD

CAR WASH

NORTHEAST CORNER
SECTION 10
IBN=RSE

MCKINLEY ROAD

PLIN'T RIVER

PROPOSED

PROPOSED
RU-3

OBSERVATION DECK

3 STORY / 18 UNITS

WALKING PATH

3 STORY / 18 UNITS

OBSERVATION DECK

2 STORY / 12 UNITS

2 STORY / 12 UNITS

GAZEBO

NITS

3 STORY / 18 UNITS

3 STORY / 18 UNITS

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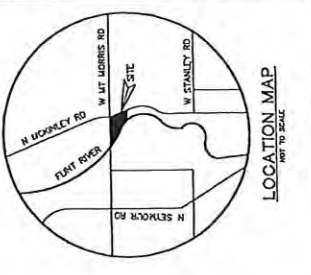
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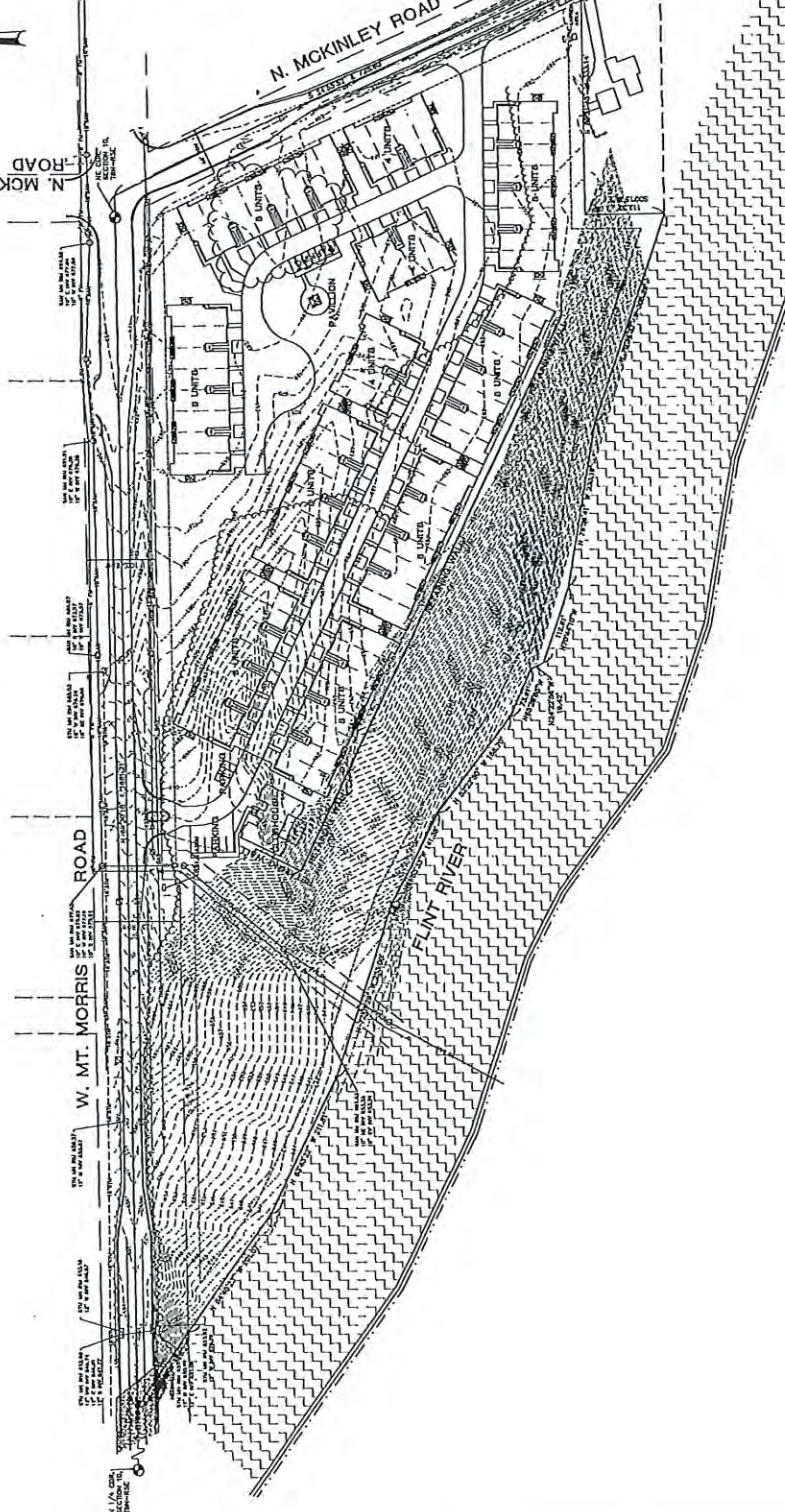
PROJECT NO.	9933-181
PROJECT NAME	PROJECT LOG
DATE	05/20/2022
DESIGNED BY	CS
CHECKED BY	
SCALE	
DATE	



SYMBOL	DESCRIPTION
(Circle with dot)	EXISTING UTILITY - WATER
(Circle with cross)	EXISTING UTILITY - SEWER
(Circle with horizontal lines)	EXISTING UTILITY - GAS
(Circle with vertical lines)	EXISTING UTILITY - TELEPHONE
(Circle with diagonal lines)	EXISTING UTILITY - FIBER OPTIC
(Circle with 'X')	EXISTING UTILITY - POWER
(Circle with 'Z')	EXISTING UTILITY - CABLE TV
(Circle with 'A')	EXISTING UTILITY - AIR CONDITIONING
(Circle with 'B')	EXISTING UTILITY - RADIATION
(Circle with 'C')	EXISTING UTILITY - OTHER
(Circle with 'D')	EXISTING UTILITY - UNKNOWN

UTILITIES	ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
CONTRACTORS	TRISTAR 1114 MILLER ROAD SUITE 101 TALLAHASSEE, FL 32304 (904) 487-4300
CLIENT	MRT. MOUNTAIN SHARDS 2700 W. COAST ST. SUITE 101 TALLAHASSEE, FL 32304 (904) 487-4300
DATE	05/20/2022

76 UNITS W/ CLUBHOUSE



UTILITY NOTE
 THE UTILITY LOCATIONS AS SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE UTILITY LOCATIONS SHOWN ARE FOR INFORMATION ONLY AND ARE NOT GUARANTEED. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

LEGAL DESCRIPTION
 THAT PART OF THE SE 1/4, TOWNSHIP 11 N., RANGE 20 W., COUNTY OF TALLAHASSEE, FLORIDA, AS SHOWN ON THE RECORD DRAWING OF THE SUBJECT PROPERTY.

FLOODPLAIN INFORMATION
 FLOODPLAIN ZONING: UNCLASSIFIED
 FLOOD RISK: LOW
 FLOOD ELEVATION: 42.75/2009
 THE FLOODPLAIN ELEVATION FOR THIS AREA IS 44.6

EDWARD BRUNSON
 ENGINEER
 STATE LICENSE NO. 104001010
 EXPIRES: 12/31/2024
 REG. NO. 104001010

UTILITY CONTACTS
FLORIDA POWER & LIGHTS
 1114 MILLER ROAD
 SUITE 101
 TALLAHASSEE, FL 32304
 (904) 487-4300

CONTRACTOR
 TRISTAR
 1114 MILLER ROAD
 SUITE 101
 TALLAHASSEE, FL 32304
 (904) 487-4300

ZONING PERMIT

CHARTER TOWNSHIP OF FLUSHING
6524 N. Seymour Road
Flushing, Michigan 48433
810-659-0800 Fax 810-659-4212

Receipt # _____
Date: 8/3/22
Permit Fee: \$50.00
Initial: WM

APPLICANT TO COMPLETE ALL ITEMS IN SECTIONS. NOTE: SEPARATE APPLICATIONS MUST BE COMPLETED FOR BUILDING, PLUMBING, MECHANICAL, AND ELECTRICAL PERMITS IF REQUIRED. SOIL EROSION PERMIT THROUGH GENESEE CTY.

Parcel # 25-08-11-100-006 Estimated Value of Structure \$ \$15,000

LOCATION OF BUILDING	
STREET LOCATION: <u>7962 N McKinley Rd</u>	ZONING DISTRICT: _____
CITY: <u>Flushing</u> STATE: <u>Michigan</u> ZIP: <u>48433</u>	OWNERSHIP: <input checked="" type="checkbox"/> Private <input type="checkbox"/> Public
between _____ and _____	LOT SIZE: <u>56.73</u>

TYPE OF IMPROVEMENT:	RESIDENTIAL PROPOSED USE:	NON-RESIDENTIAL PROPOSED USE:
<input checked="" type="checkbox"/> NEW BUILDING	<input type="checkbox"/> ONE FAMILY	<input type="checkbox"/> AMUSEMENT <input type="checkbox"/> LIBRARY
<input type="checkbox"/> ALTERATION	<input type="checkbox"/> TWO OR MORE FAMILY # UNITS	<input type="checkbox"/> CHURCH, RELIGION <input type="checkbox"/> STORE, MERCANTILE
<input type="checkbox"/> DEMOLITION	<input type="checkbox"/> HOTEL, MOTEL # UNITS	<input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> TANKS, TOWERS
<input type="checkbox"/> FOUNDATION ONLY	<input type="checkbox"/> ADDITION <input type="checkbox"/> SIGN	<input type="checkbox"/> PARKING GARAGE <input type="checkbox"/> PUBLIC UTILITY
<input type="checkbox"/> MOBILE HOME SET-UP	<input type="checkbox"/> POOL <input type="checkbox"/> FENCE	<input type="checkbox"/> SERVICE STATION <input type="checkbox"/> HOSPITAL/INSTITUTE
<input type="checkbox"/> PRE-MANUFACTURE	<input type="checkbox"/> ATTACHED/DETACHED GARAGE	<input checked="" type="checkbox"/> SIGN
<input type="checkbox"/> SPECIAL INSPECTION	<input type="checkbox"/> DECK <input type="checkbox"/> POND	<input type="checkbox"/> PROFESSIONAL
<input type="checkbox"/> RELOCATION	<input type="checkbox"/> STORAGE SHED	<input type="checkbox"/> RETENTION AREA
<input type="checkbox"/> ADDITION	<input type="checkbox"/> POLE BUILDING	
<input type="checkbox"/> REPAIR	<input checked="" type="checkbox"/> OTHER <u>Ag building</u>	<input checked="" type="checkbox"/> OTHER <u>Tent/Car Sales</u>

NON-RESIDENTIAL DESCRIBE IN DETAIL PROPOSED USE OF BUILDING, E.G. FOOD PROCESSION PLANT, MACHINE SHOP, LAUNDRY BUILDING, PARKING GARAGE FOR DEPARTMENT STORE. IF USE OF EXISTING BUILDING IS BEING CHANGED ENTER PROPOSED USE.
Building Used Storage of Alpaca Goat Milk. Requesting permission to sell Farm Related Merchandise/Glow Sticks/T-Shirts From tent/curt

CHARACTERISTICS OF BUILDING		
PRINCIPAL TYPE OF FRAMING	NUMBER OF OFF-STREET PARKING	RESIDENTIAL BUILDINGS ONLY
<input type="checkbox"/> Masonry (wall bearing)	Enclosed _____	Number of Bedrooms _____
<input type="checkbox"/> Wood frame	Outdoors _____	Number of bathrooms _____
<input checked="" type="checkbox"/> Structural steel	Other: _____	Number of partial bathrooms _____
<input type="checkbox"/> Reinforced concrete		

DIMENSIONS
No. of Stories 1 Total square feet of floor area 320 Total land area square feet/acres 320 sqft

IDENTIFICATION OF APPLICANT			
APPLICANT IS RESPONSIBLE FOR ALL FEES APPLICABLE TO THIS APPLICATION AND MUST PROVIDE THE FOLLOWING INFORMATION:			
OWNER OR LESSEE: <u>Alberto Dimatteo</u>	ADDRESS: <u>409 Sleepy Hollow Drive</u>		
CITY: <u>Flushing</u>	STATE: <u>Mi</u>	ZIP: <u>48433</u>	PHONE NUMBER: _____
CONTRACTOR: _____	ADDRESS: _____		
CITY: _____	STATE: _____	ZIP: _____	PHONE NUMBER: _____
BUILDERS LICENSE # _____	EXPIRATION DATE: _____		

I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT, AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN, GENESEE COUNTY AND THE TOWNSHIP OF FLUSHING, ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF APPLICANT: [Signature] DATE: 8/3/2022

SPECIAL USE PERMIT REQUEST FORM

Special Use Permit Request Case No. _____
Permit Fee: \$ 300
Date Paid: 8/3/2022
Date Notice was Published: _____
Date of Public Hearing: _____
Affidavit Attached: _____

FLUSHING TOWNSHIP PLANNING COMMISSION SPECIAL USE PERMIT REQUEST

Required Information from owner or person having interest in requesting Planning Commission (PC) review and opinion.

1. Name of applicant/owner requesting PC review and opinion.

A. Applicant

Name: Alberto Dimatteo
Address: 709 Sleepy Hollow Dr Flushing
Michigan 48433
Phone: _____

B. Owner of property if different than above

Name: Ginetta Dimatteo
Address: 2150 Aldwin Rd West Bloomfield
Phone: _____

2. Location of Property:

Street number and name: 7462 N McKinley Rd Flushing Mi 48433?
Property tax Identification number: 25-08-11-001-006
Legal description of property involved: govt lots 1+2 except all that part of N 1/2 of govt lot 2 lying w of mc kinley rd also except a parcel of land beg 660 ft S of NW cor of sec 4 E of C L of mc kinley rd th. S 240 ft th. W to Flint river th. N along Flint river to W sec line N to
List deed restrictions and easements: _____

Present zoning of property: Agricultural

3. With all requests, a site plan must be submitted (see attached site plan form)

Site plan attached to zoning permit

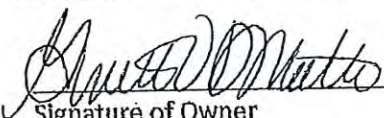
4. Answer the following questions of the affidavit:

a. What is the purpose of the request for a Special Use Permit?

Hayride petting zoo / animal education

ACKNOWLEDGEMENT AND CERTIFICATION: It is hereby acknowledged that the applicant(s) has fully read and completed the above application. It is also understood that in case of cancellation or failure of the owner or his representative to appear at the hearing, I understand that all fees will be forfeited.


Signature of Applicant


Signature of Owner
(If different than applicant)

PLANNING COMMISSION:

The Planning Commission (PC) having reviewed the submitted data do hereby:

() APPROVE () DISAPPROVE the application for the following reasons: _____

If approved, are there conditions? _____

Date: _____

Chairperson

cancel ^{custom - he said cant} haywags
cancel billboards
stose down .
payments due: at bank .
grampa

Site plan review checklist

This Form and any required site plan **MUST** be completed in full and turned into Flushing Township **25 DAYS BEFORE THE SCHEDULED** Planning Commission meeting date to insure all Commission members have the necessary information:

Date of Next Meeting: _____

Fee Due : _____

Date Paid: _____

Amount Paid: _____

Paperwork Due By: _____

Receipt #: _____

COMMERCIAL SITE PLAN REVIEW CHECKLIST

Name of Applicant: Alberto DiMatteo

Mailing Address: 409 Sleepy Hollow Drive, Flushing, MI 48433

Property Address: 7462 North McKinley Rd., Flushing, MI 48443

Parcel Number: 25-08-11-100-006

Proposed Use: Seasonal Haunted Hayride

Existing Zoning: Residential Suburban Agricultural

Section 20-1902 Site Plan Review Requirements:

Before any Permit shall be issued, a site plan drawn to a scale of one (1) inch equals twenty (20) feet, and at least two (2) copies of this site plan shall be submitted to the township clerk. **Such site plan drawing shall contain ALL of the following information:**

PLEASE PLACE AN ANSWER IN EVERY BOX UNDER PROPOSED.

**DETERMINATION OF
ORDINANCE
COMMISSIONERS** **PROPOSED**

<p>(a) Statistical data including: number of dwelling units, size of dwelling units (e.g., one-bedroom, two-bedrooms, and three-bedrooms), if any, and total gross acreage involved. In all other cases, the location, type, horsepower, fuel, dimensions, and other data of all machinery to be used on the proposed site.</p>	<p>There are no changes proposed to the house located on the west end of the property end accessible from McKinley</p>	
<p>(b) The location of principal and accessory buildings on the lot and the relationship of each structure to the other.</p>	<p>The buildings to be shown on</p>	<p>ERG's Site Plan map are only those visible from an aerial photograph. The new proposed agricultural building under construction will also be shown</p>
<p>(c) Vehicular traffic and pedestrian circulation features within and without the site.</p>	<p>For the special use application</p>	<p>we will show vehicle and pedestrian circulation as discussed</p>
<p>(d) The location and dimensions of all off-street parking areas including maneuvering lanes, service lanes, off-street loading spaces and other service areas within the development.</p>	<p>Parking for the seasonal haunted hayride is the only traffic to be shown on the print</p>	
<p>(e) The location, dimensions and proposed use of all on-site recreation areas, if any.</p>	<p>Since it is our opinion that the seasonal haunted musical business is separate from the equine facility (which is already a permitted use in the ag. Zoning district), our print will only address the east portion of the property</p>	
<p>(f) The location of all proposed landscaping, fences or walls.</p>	<p>N/A</p>	
<p>(g) The height and dimensions of all structures.</p>	<p>N/A</p>	
<p>(h) Front, rear and side elevations of any typical structure proposed for development.</p>	<p>No new structures are proposed for the special use request</p>	
<p>(i) The location and capacity of private or public water and sanitary services and solid waste disposal facilities servicing the site.</p>	<p>No wells will be installed associated with the special use permit request. Portable toilets will be used for guests. Solid waste will be collected and stored in a dumpster.</p>	

Site plan review checklist

(j) The locations, dimensions and lighting of all signs.	Temporary signs on T posts or stands will be placed.	
(k) The location, intensity and orientation of all lighting.	Temporary solar lights will be placed in the parking lot.	
(l) A location map indicating the relationship of the site to the surrounding land use for an area of not less than one (1) square mile.	The requested location map is provided on ERG's Cover Sheet	
(m) A physiographic map showing the natural topography, the soil types, and suitability for intended use, natural features such as wood lots, lakes, drains, streams, and ditches, and surface coverage data (such as paved areas and structures) related to storm water runoff characteristics.	There are no proposed changes to the landscape for operating the Haunted Hayride seasonal attraction. An aerial photograph of the existing site is provided on ERG's cover sheet	
(n) The site plan shall be sealed by a professional engineer, architect, landscape architect or community planner.	Professional engineering firm is Environmental Resources Group of Wixom, Michigan	
(o) Location and size of interior and exterior areas and structures to be used for storage use, loading/unloading, recycling, or disposal of hazardous substances.	As a seasonal attraction, no permanent structures are proposed, and no hazardous substances will be used (other than fuel for the tractors pulling the hayrides). Fuel will be stored in the appropriate aboveground storage tanks (ASTs) located at the farmstead	
(p) Location of all underground and above ground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated storm water or wash water, and all similar uses.	No new ASTs or underground storage tanks are proposed for use under this special use request.	
(q) Location of exterior drains, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store to transport storm water or waste water. The point of discharge for all drains and pipes shall be specified on the site plan.	No earthwork is proposed under this special use permit, so no stormwater management structures are needed.	
(r) Delineation of areas on the site which are known or suspected to be contaminated, together with a	There is no known or suspected site contamination.	

Site plan review checklist

report on the status of site cleanup.		
(s) Submission of the "Hazardous Substances Reporting Form for Site Plan Review."	N/A	
(t) Submission of the "State/County Environmental Permits Checklist."	N/A	
(u) 100 year floodplain.	The property is outside the 100-year floodplain of the Flint River.	
(v) Topographic lines at 1' intervals.	A topographic map of the site is provided on ERG's Cover Sheet.	
(w) Proposed and existing utilities including water, sewer, storm water and lighting.	N/A	
(x) Driveway location.	The driveway is an approved county access point which has been used as an access point to the field for years	
(y) Current zoning of parcel and if the proposed use is not permitted in the district the parcel is zoned, an indication as to the proposed zoning. (Amended by adoption July 25, 2002).	Current zoning of the parcel is Residential Suburban Agricultural and no change is requested or needed.	
(z) Statement on the plan as to whether wetlands exist on the site. (Added by adoption July 25, 2002).	No wetlands are located where special use is located	
(aa) Easements impacting property.	N/A	
(bb) Underground utilities present on property.	No underground utilities are present on the portion of the property for this special use request. The proposed Agricultural building on the property (which is not part of this special use request) may get underground electrical in the future.	

NOTE: Review Act XVIV for additional information.

ADDITIONAL COMMENTS:

Date Approved: _____

JEROME DOYLE, Chair

Revised: 07/19/2018

MICHIGAN'S HAUNTED HAYRIDE

7462 N MCKINLEY, FLUSHING, MI 48433

SITE PLAN

AUGUST 2022
PROJECT NO.: 9654

INDEX OF DRAWINGS

DRAWING NO.	TITLE
1	TITLE SHEET
2	SITE MAPS
3	SITE PLAN

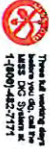
TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, ABILITY AND BELIEF, THE SITE PLAN MEETS THE APPLICABLE FLUSHING TOWNSHIP ORDINANCE.

Matthew J. Osborne

MATTHEW J. OSBORNE, P.E.
DATE: 8/11/2022



DO NOT SCALE DRAWINGS TO DETERMINE DIMENSIONS. DIMENSIONS SHOWN ON THE DRAWING TAKE PRECEDENCE OVER DIMENSIONS SHOWN ON THE PHOTOGRAPH. DIMENSIONS SHOWN ON THE PHOTOGRAPH TAKE PRECEDENCE OVER DIMENSIONS SHOWN ON THE AERIAL PHOTOGRAPH. DIMENSIONS SHOWN ON THE AERIAL PHOTOGRAPH TAKE PRECEDENCE OVER DIMENSIONS SHOWN ON THE GROUND SURVEY. DIMENSIONS SHOWN ON THE GROUND SURVEY TAKE PRECEDENCE OVER DIMENSIONS SHOWN ON THE AERIAL PHOTOGRAPH.

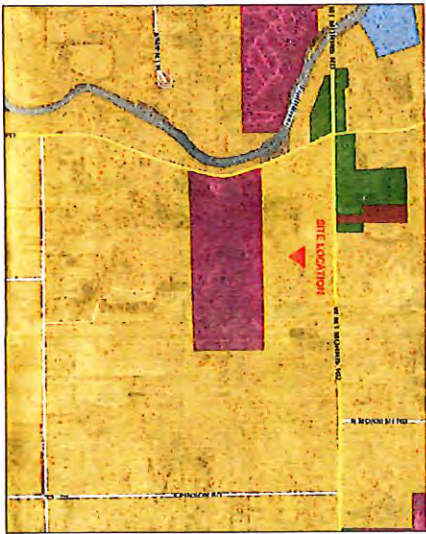


SITE LOCATION



AERIAL PHOTOGRAPH
(Pixel Map)





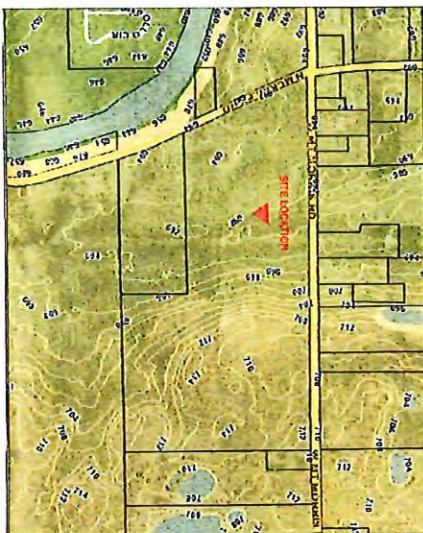
GENESEE COUNTY ZONING MAP
SOURCE: GENESEE COUNTY GIS

LEGEND

- RESIDENTIAL SUBURBAN AGRICULTURAL DISTRICT
- RESIDENTIAL SINGLE-FAMILY DETACHED TRADITIONAL NEIGHBORHOOD DISTRICT
- COMMERCIAL GENERAL DISTRICT
- RESIDENTIAL URBAN MEDIUM DENSITY DISTRICT
- SPECIAL USE AND RECREATION DISTRICT



DATE: 8/11/2022
DRAWN BY: MATJ



TOPOGRAPHIC MAP
SOURCE: GENESEE COUNTY GIS



WETLAND MAP
TOPOGRAPHIC MAP
SOURCE: GENESEE COUNTY GIS

THE PROPERTY IS OUTSIDE THE 100-YEAR FLOODPLANE OF THE FLINT RIVER

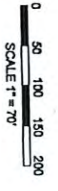
DATE	BY	DESCRIPTION
08/11/2022	MATJ	DATE OF MAP



MICHIGAN'S HAUNTED HAYRIDE
7442 N WHEELER, FLUSHING, MI 48843
SITE MAPS

DRAWING
PROJECT NO.
2
3/04

MATTHEW J. ORSHAN
 PROFESSIONAL ENGINEER
 LICENSE NO. 28103
 STATE OF MICHIGAN
 8/11/2022
 DATE
 M.J. ORSHAN



SITE PLAN

NO.	DATE	DESCRIPTION
1	08/11/2022	ISSUED FOR PERMITTING

ERG
 Environmental Resources Group
 2500 Greenfield Court • East Lansing, MI • 48823
 Phone: 268-0729 • Fax: 268-0318

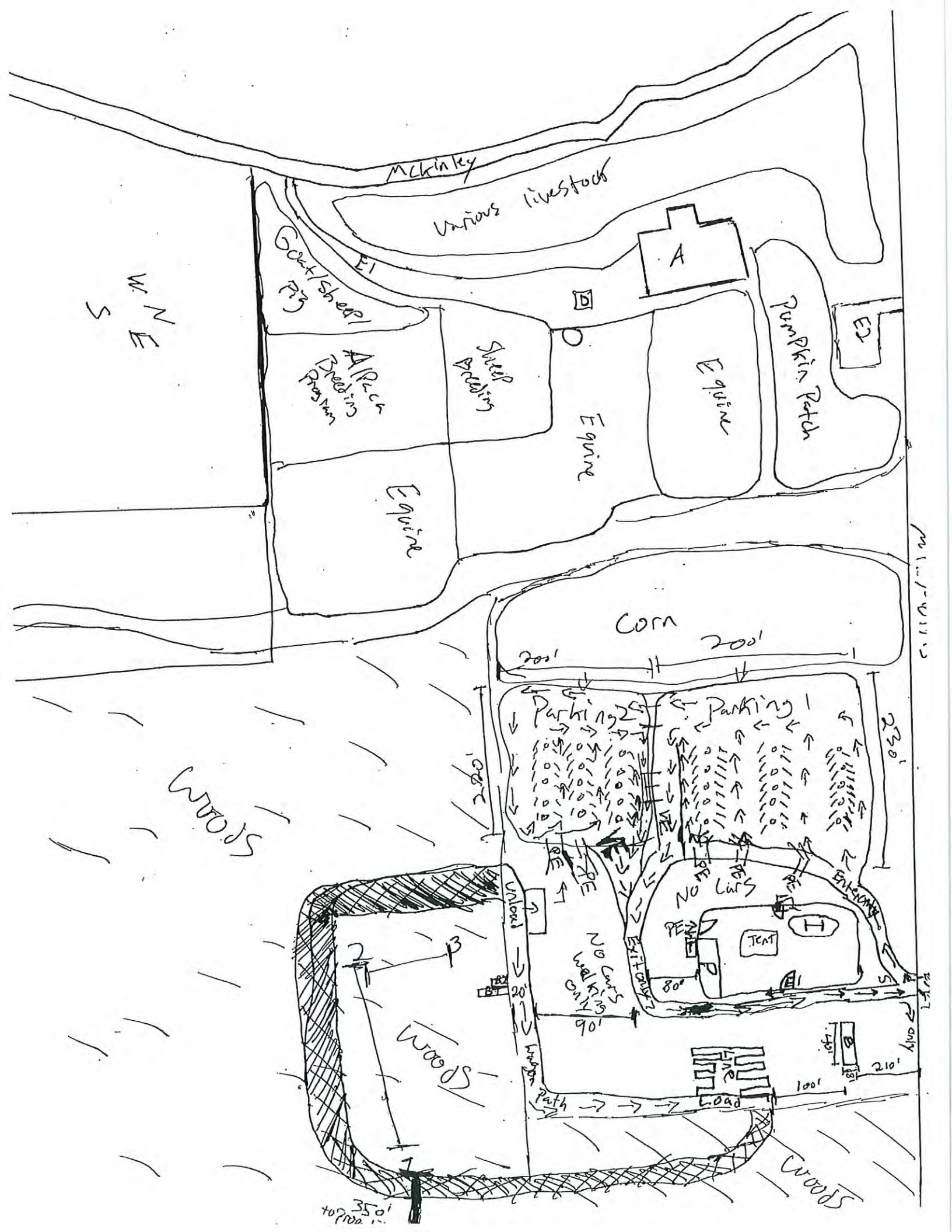
MICHIGAN'S HAUNTED HAYRIDE
 7422 N WOODLAWN, FLUSHING, MI 48433
 SITE PLAN

DRAWING NO. 3
 PROJECT NO. 9054



LEGEND:
 B = ALPACA FLEECE/GOAT AND MILK FARM OFFICE
 I = INFLATABLE
 T = TICKET TENT
 P = PETTING ZOO ENCLOSURE
 PE = PERSON ENTRY/EXIT

STAKE IDENTIFICATION	
ROAD TO STAKE	3/4" X 3/4"
LINE TO STAKE	3/4" X 3/4"
WALL TO STAKE	1 1/2" X 1 1/2"



McKinley

Various livestock

A

Pumpkin Patch

E2

Equine

Sheep Handling

Equine

A/P/C/A Breeding Program

Goat/Sheep Pig

Equine

Corn

200'

200'

Parking 1

Parking 2

230'

WOODS

WOODS

WOODS

H
TENT
NO LISTS

Unload
20'
No Curbs
No Walking
Only
10'

Path

LOAD

100'

210'

EXIT ONLY

350'
to road

M...-0115

W
N
E
S

key

A Barn

B Alpaca ~~W~~ Fleece / Goat milk / Farm office

D House

E1 Entrance / Exit

E2 Entrance / Exit

E3 Enter only 20'

E4 Exit only 20'

I inflatable

T ticket tent

E1 Emergency Exit

E2 Emergency Exit

A Petting Zoo / ^{Education} Area Enter / Exit wristband / Day

P Petting Zoo enclosures

o Solar Parking light Post

∧ Angled Directional Parking ~~Post~~

PE Person Entry / Exit

VE vehicle ~~Entry~~ Exit only

B1 Storage

B2 Shed

Tickets Sold Per hour & capped at 500 Per hour for Hayride & Petting Zoo. Hayride & Petting Zoo hours do ^{not} coincide

1 set 1 Shipping container Prop set / internal storage

2 set 2 Prop set ~~Shipping container~~

3 set 3 Prop set "tree house" (superficial)



August 25, 2022

Ms. Wendy Meinberg
Flushing Township Clerk
6524 N. Seymour Road
Flushing, MI 48433

RE: Site Plan Review and Special Land Use – 7462 N McKinley Road

Dear Ms. Meinberg:

ROWE Professional Services Company is in receipt of a site plan and special land use application for a Haunted Hayride located at 7462 N McKinley Road. The proposed activity is to include commercial sales of alpaca fleece and goat milk, inflatables, several tents and stages, a petting zoo enclosure, and a hayride with multiple “stages”. The subject parcel is zoned RSA Residential Suburban Agricultural District.

ROWE has completed a review of the site plan against township zoning ordinance standards and found the site plan submitted is deficient relative to multiple standards, which are outlined in this letter. We have also attached checklists that provide additional information regarding zoning ordinance requirements. Please note that the Planning Commission may waive any of the following requirements on an individual basis or by general rule where the information is not necessary to determine compliance with the zoning ordinance requirements.

Information Requirements:

The following items from the list of informational requirements for a site plan in Section 20-1902 of the Flushing Township Zoning Ordinance were not included. The section number at the beginning of each item references where the information requirement is located.

- **Sec. 20-1902 A site plan draw to a scale of one-inch equals 20 feet, and at least two copies of this site plan shall be submitted to the township clerk.** The site plan is drawn to a one-inch equals 70 feet scale.
- **Sec. 20-1902(d) The location of principal and dimensions of all off-street parking areas including maneuvering lanes, service lanes, off-street loading spaces and other service areas within the development –** Sheet 3 includes the proposed location of parking; however, the dimensions of the parking spaces and maneuvering lanes were not provided.
- **Sec. 20-1902(g) The height and dimensions of all structures –** Applicant stated in application the proposed accessory structure is to be one story and 320 square feet. The site plan did not indicate the dimensions of the proposed accessory structure.
- **Sec. 20-1902(h) Front, rear and side elevations of any typical structure proposed for development. –** Elevations of the proposed accessory structure is needed to determine compliance.

Flint, MI (HQ): 540 S. Saginaw Street, Suite 200, 48502 | Phone: (810) 341-7500

Civil Engineering | Surveying | Landscape Architecture | Aerial Imagery/Mapping | Planning

Flint, MI (HQ) | Lapeer, MI | Farmington Hills, MI | Kentwood, MI | Mt. Pleasant, MI | Grayling, MI | Myrtle Beach, SC | www.rowepsc.com

- **Sec. 20-1902(j) The locations, dimensions, and lighting of all signs** – There is a proposed temporary sign, further information on the type, location, dimensions, and any illumination of the sign is needed to determine compliance.
- **Sec. 20-1902(k) The location, intensity, and orientation of all lighting** – There was no indication of lighting on the site plans, applicant is to confirm any permanent or temporary lighting on the site.
- **Sec. 20-1902(m) A physiographic map showing the natural topography, the soil types, and suitability for intended use, natural features such as wood lots, lakes, drains, streams, and ditches, and surface coverage data (such as paved areas and structures) related to storm water runoff characteristics.** – A physiographic map was not provided. Topographic lines are also required at one-foot intervals per subsection v.
- **Sec. 20-1902(t) Submission of the “State/County Environmental Permits Checklist”** – A State/County Environmental Permit was not submitted with the application.

Zoning Compliance

The following items were identified as potential zoning ordinance compliance issues. Again, the section number at the beginning of each item references the appropriate location in the zoning ordinance.

- **Sec. 20-400 Accessory Structures** – Further information pertaining to the setbacks of the proposed accessory structure are needed to determine compliance. The applicant is to confirm whether the proposed accessory structure is a permanent structure or a temporary structure. If the proposed accessory structure is temporary, the applicant may need a variance.
- **Sec. 20-405. Clear Vision Zone** – The clear vision zone is not indicated on the site plan, and it appears there may be trees and other obstructions within the required 25-foot area.
- **Sec. 20-406 Curb cuts and Driveways** – Applicant to confirm approval from Genesee County Road Commission for proposed driveway located at the north property line along Mt. Morris Road.
- **Sec. 20-408 Fences, Walls and Other Protective Barriers** – Further information pertaining to the height and building materials of the proposed fence is needed in order to determine compliance.
- **Sec. 20-409 Incinerators and Outside Trash Containers** – No indication of outdoor trash containers, applicant to confirm any outdoor trash receptacles.
- **Sec. 20-416 Performance Standards** – The applicant must confirm how they intend to control noise and vibration of the music from the proposed stages, and further information pertaining to trash and waste receptacles.
- **Sec. 20-419 Farm Animals and Horses** – The setbacks of the proposed accessory structure were not provided for the temporary housing of farm animals, the applicant to confirm setbacks of accessory structure.
- **Sec. 20-501 Off-Street Parking Requirements** – Per Section 20.501.a.5, in the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is not mentioned and which such use is like, shall apply. Due to Flushing Township not having the proposed use defined in Section 20.501, the most similar use that is defined is Assembly halls, churches, mortuaries, theaters. This use requires one space per three seats or per 21 square feet of assembly space, whichever will require the larger number of parking spaces. The applicant is to provide the number of seats and/or the square footage of assembly space to determine the number of parking spaces required. Also, the dimensions of the parking spaces and maneuvering lanes, as well as the proposed parking area surface are needed to determine compliance.

Ms. Wendy Meinberg
August 25, 2022
Page 3

- **Sec. 20-702 Table of District Regulations** – Further information pertaining to minimum lot width, minimum lot depth, front, side and rear setbacks and maximum lot coverage is needed to determine compliance.
- **Sec. 20-1800.D Agricultural Tourism Facilities** – Further information is needed pertaining to the number of seats or assembly area is needed to determine compliance with this standard as well as Sec. 20-501.

One additional consideration is whether the entire group of uses proposed at the site is consistent with the definition of "agricultural tourism facilities". The definition is below.

Agricultural Tourism Facilities means commercial facilities are designed to attract visitors through the sale of agricultural byproducts and the sale of gifts, arts and crafts and other similar products. These facilities can also include the provision of agricultural-related activities such as hayrides, sleigh rides and petting zoos.

While the proposed uses listed on the site plan application (hayride, petting zoo/animal education) are consistent with the definition, the presence of three stages and advertising for the site indicates planned musical performances that do not appear to have any relationship to agriculture. This would be more consistent with an amusement park or circus/carnival use. Amusement parks are not permitted in the RSA district, and circuses, carnivals, or other transient amusement enterprises are limited to no more than seven days of operation.

Regulatory and other governmental agencies with jurisdiction may have additional comments or requirements. The developer and designer remain responsible for the design, construction, and any resulting impacts of the project. If you have any questions or require additional information, please contact me at jball@rowepsc.com or (810) 341-7500.

Sincerely,
ROWE Professional Services Company

Jason Ball
Digitally signed by Jason Ball
Date: 2022.08.25 12:48:51 -04'00'

Jason Ball, AICP
Senior Planner

Attachment

CC: Flushing Township Planning Commission

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Charter Township of Flushing
Zoning Ordinance Compliance Checklist
 Haunted Hayride, 7462 N McKinley

Site Plan Received Date: 8/11/22

Article 3: General Provisions Requirements	Does Site Plan Include This Information			
	Yes	No	N/A	Comment
Sec. 20-304. Common Driveways. Are the proper Right-of-Way (ROW) shown on the plan (33 ft ingress/egress for not more than 2 residences)? The applicant provides there are records with the Genesee County Register of Deeds, written agreement with all lot or residences to be served by the common driveway, and staked boundary survey of driveway easement.			X	No proposed common driveway.
Sec. 20-305. Private Roads. Are the required information provided and the road has a minimum 66ft ROW and follow other requirements?			X	No proposed private roads.
Sec. 20-309. Non-Conforming Use Generally. Is this a non-conforming use and if so it is not being enlarged, altered, or changed in area, activity, content, and has not ceased business for a period of 1 year or more?			X	The proposed use does not appear to be non-conforming.
Sec. 20-310. Non-Conforming Structure. Is this a non-conforming structure and if so there is no change in use, location, modification, or structure in setback requirements or other dimensional requirements?			X	Proposed structures do not currently exist.
Sec. 20-314. Non-Conventional Dwellings. Does any proposed dwelling comply with the prohibition against dwelling in a cellar, garage, or incompletely constructed structure after 1989?			X	Proposed use is not a dwelling.
Sec. 20-318. Temporary Dwelling Structure, Fixed, or Movable. If a temporary structure is proposed for a dwelling, has it been granted the required Special Use Permit (SUP).			X	The temporary structures are not proposed as a dwelling.

Article 4: Site Regulations Requirements	Does Site Plan Include This Information			
	Yes	No	N/A	Comment
Sec. 20-400. Accessory Structures. Is any accessory structure being proposed that follows these requirements?	?			Proposed 320 square foot metal siding accessory structure. Setbacks not provided; however, it appears that the proposed structure meets setback requirements. Applicant to confirm if the proposed accessory structure is a temporary accessory structure, the accessory structure would need a variance of 176 square feet. See Sec. 20-400(d)
Sec. 20-403. Lot Sizes. Is the lot not served by municipal water and sanitary sewer have a minimum lot size of 30,000 sq ft with at least 100 feet of frontage on a public road and other septic system requirements?	X			The subject parcel is 56.73 acres and complies with the minimum lot size.
Sec. 20-404. One Family Dwelling Regulations. Do any proposed the one family dwellings meet the requirements?			X	Proposed use is not a one family dwelling.

Flushing Township- Zoning Compliance Checklist

Article 4: Site Regulations Requirements	<i>Does Site Plan Include This Information</i>			
	Yes	No	N/A	Comment
Sec. 20-405. Clear Vision Zone. Does the development meet the requirement to have a 25ft area from the intersection of 2 public ROW with no structure, objects, or existing topography over 2 ft, besides some tree exceptions?		?		It is not clear based on the site plan whether the clear vision area requirement has been met.
Sec. 20-406. Curb Cuts and Driveways. Do any proposed curb cuts or driveways have approval from the Genesee County Road Commission for curb cuts or driveways?	?			Applicant to confirm approval from Genesee County Road Commission.
Sec. 20-408. Fences, Walls, and Other Protective Barriers. Do any proposed fences conform to the Flushing Township Fence Ordinance?	?			Further information on height and building materials is needed to determine compliance of the proposed fence.
Sec. 20-409. Incinerators and Outside Trash Containers. Do any proposed incinerators and outside trash containers follow these requirements?	?			No outdoor trash container identified. Applicant to confirm use of trash receptacles.
Sec. 20-410. Lot Grades. Does the site plan include a sloping grade cause the surface drainage to flow away from the walls of such structures and does new construction it does not jeopardize existing drainage systems?	X			The temporary use should not have an impact on existing lot grades.
Sec. 20-411. Setback. Does the site plan comply with the prohibition of parking or storage of vehicles with the required front yard in a residential district?	X			No setbacks provided; however, all temporary structures are located in the rear yard.
Sec. 20-413. Storage in Front Yard. Does the proposed storage, parking of any vehicle, or permanent structure outside of the front yard?			X	The proposed use is to be located in the rear yard of the subject property.
Sec. 20-414. Water Supply. Does the proposed development have safe, adequate, and sanitary water supply?			X	No proposed connection to water services.
Sec. 20-415. Private Water Supply. Does the proposed development met the requirements to have a private water supply?		X		No proposed connection to private water supply.
Sec. 20-416. Performance Standards. Does the proposed development meet performance standards for the below categories?	?			See below.
(a) Smoke Control.			X	Does not appear that the proposed use would increase smoke.
(b) Control of Noise.		?		Applicant to confirm how they intend to control the noise of the music from the proposed stages.
(c) Odors.			X	Proposed use does not appear to increase odors.
(d) Control of Glare or Heat.			X	Proposed use does not appear to increase glare or heat.
(e) Control of Vibrations.			X	Proposed use does not appear to increase vibrations.
(f) Control of Radioactivity or Electrical Disturbance.			X	Proposed use does not intend to use radioactivity or electrical disturbance.

Article 4: Site Regulations Requirements	Does Site Plan Include This Information			
	Yes	No	N/A	Comment
(g) Outdoor Storage and Waste Disposal.	?			Applicant to provide further information regarding trash and waste disposal.
Sec. 20-417. Mobile Home Park Development. Does the proposed mobile home park meet these requirements?			X	Proposed use is not a mobile home park development.
Sec. 20-418. Industrial Parks. Does the proposed industrial park meet these requirements?			X	Proposed use is not an industrial park.
Sec. 20-419. Farm Animals and Horses. Within the RSA district, are the requirements being met?	?			Temporary housing of farm animals is proposed. Setbacks were not provided; however, the proposed temporary housing of the farm animals appears to be in compliance.

Article 5: Off Street Parking Requirements	Does Site Plan Include This Information			
	Yes	No	N/A	Comment
Sec. 20-500. Off-Street Loading and Unloading. Is a loading/unloading space provided as required?			X	No proposed loading areas.
Sec. 20-501. Off-Street Parking Requirements. Do any proposed parking spaces meet these requirements?	?			Per Sec. 20-501.5 the most similar use is assembly halls, churches, mortuaries, and theaters. Further information pertaining to seats or square footage of assembly is needed to determine compliance.

Sec. 20-501(b)(1) Off-Street Parking Requirements	Required	Provided
Parking Spaces-	1 space per 3 seats or 21 square feet of assembly space, whichever will require the largest number of parking spaces.	216
Loading Spaces-	N/A.	N/A.

Flushing Township- Zoning Compliance Checklist

Article 7: District Requirements
What is the use: Agricultural Tourism Facilities
Is use permitted in the district it is located in RSA Residential Suburban Agricultural
By Right: By SUP: X

Sec. 20-702 Table of District Regulations		
District Requirement	Ordinance Standard	Proposed Plot Plan
Minimum Lot Area (sq. ft.)	30,000 sq ft	56.73 acres
Minimum Lot Width (ft.)	100	?
Minimum Lot Depth (ft.)	200	?
Minimum Setbacks – Front (S)	20	?
- Sides (E)	10	?
- Sides (W)	10	?
- Rear (N)	25	?
Maximum Building Height (Stories)	2.5	1
Maximum Lot Coverage (%)	25%	?
Are there any required conditions for this district?	N/A	

Article 18: Special Use Permits Requirements Sec. 20.1800.D Agricultural Tourism Facilities	Does Site Plan Include This Information			Comment
	Yes	No	N/A	
(1) Adequate off-street parking is provided for the peak generation times of the proposed use.	?			Further information pertaining to number of seats or assembly area is needed to determine compliance.
(2) Hours of operation are established that take into account the impact of traffic and noise on the surrounding land uses.		X		Not provided.

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Charter Township of Flushing
Site Plan Information Checklist
 Haunted Hayride, 7462 N McKinley

Site Plan Received Date: 8/11/22

Sec. 20-1902 Site Plan Review Requirements				
<i>Required Information</i>	<i>Does Site Plan Include This Information</i>			
	Yes	No	N/A	Comment
A site plan drawn to a scale of 1 inch equals 20 feet.		X		See Sheet 3. Scale 1" = 70'
(a) Statistical data including: number of dwelling units, size of dwelling units (e.g., one-bedroom, two-bedroom, and three-bedroom), if any, and total gross acreage involved. In all other cases, the location, type, horsepower, fuel, dimensions and other data of all machinery to be used on the proposed site.	X			Total acres located on title sheet. No indication of machinery to be use for proposed use. Applicant to confirm any location, dimensions and other data of any proposed machinery needed.
(b) The location of principal and accessory buildings on the lot and the relationship of each structure to the other.	X			See sheet 3.
(c) Vehicular traffic and pedestrian circulation features within and without the site.	X			See sheet 3.
(d) The location and dimensions of all off-street parking areas including maneuvering lanes, service lanes, off-street loading spaces and other service areas within the development.	?			See sheet 3 for location of proposed parking area. Dimensions of parking spaces and maneuvering lanes not provided.
(e) The location, dimensions and proposed use of all on-site recreation areas, if any.	X			See Sheet 3.
(f) The location of all proposed landscaping, fences or walls.	X			See sheet 3 for location of proposed fence.
(g) The height and dimensions of all structures.		X		Not provided.
(h) Front, rear and side elevations of any typical structure proposed for development.		X		No indication of proposed elevations of temporary structures and stages.
(i) The location and capacity of private or public water and sanitary services and solid waste disposal facilities servicing the site.			X	No proposed connection to private or public water or sanitary sewer services.
(j) The locations, dimensions and lighting of all signs.		X		Proposed temporary sign. Unclear location, height, dimensions of proposed temporary sign.
(k) The location, intensity and orientation of all lighting.		?		No indication of proposed lighting. Applicant to confirm any permanent or temporary lighting.
(l) A location map indicating the relationship of the site to the surrounding land use for an area of not less than 1 square mile.	X			See Title sheet.

Sec. 20-1902 Site Plan Review Requirements				
<i>Required Information</i>	<i>Does Site Plan Include This Information</i>			Comment
	Yes	No	N/A	
(m) A physiographic map showing the natural topography, the soil types, and suitability for intended use, natural features such as wood lots, lakes, drains, streams, and ditches, and surface coverage data (such as paved areas and structures) related to storm water runoff characteristics.		X		Not provided.
(n) The site plan shall be sealed by a professional engineer, architect, landscape architect or community planner.	X			See Sheet 2 – licensed professional engineer.
(o) Location and size of interior and exterior areas and structures to be used for storage use, loading/unloading, recycling, or disposal of hazardous substances.			X	No proposed areas for disposal of hazardous substances.
(p) Location of all underground and above ground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated storm water or wash water, and all similar uses.			X	No proposed locations of underground or above ground storage of hazardous materials.
(q) Location of exterior drains, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store to transport storm water or waste water. The point of discharge for all drains and pipes shall be specified on the site plan.			X	Proposed temporary structures for proposed haunted hayride. No proposed detention areas or drains.
(r) Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of site cleanup.			X	No indication of suspected areas of contamination.
(s) Submission of the "Hazardous Substances Reporting Form for Site Plan Review."			X	No submission of the Hazardous Substances Reporting Form for Site Plan Review was submitted with the site plan; however, it does not appear the proposed use is to have hazardous substances.
(t) Submission of the "State/County Environmental Permits Checklist."		X		No submission of the State/County Environmental Permits Checklist with site plan.
(u) 100 year floodplain.	X			See sheet 2. Property is outside of a 100year flood plain.
(v) Topographic lines at 1' intervals.		X		See Sheet 2 – Topographic Map. Lines are not provided at 1' intervals.
(w) Proposed and existing utilities including water, sewer, storm sewer and lighting.			X	There are no proposed connections to utilities.
(x) Driveway location.	X			Proposed driveway location on Sheet 3.
(y) Current zoning of parcel and if the proposed use is not permitted in the district the parcel is zoned, an indication as to the proposed zoning.	X			Existing zoning located on sheet 2. Subject parcel is zoned Residential Suburban Agriculture District.

Sec. 20-1902 Site Plan Review Requirements

<i>Required Information</i>	<i>Does Site Plan Include This Information</i>			Comment
	Yes	No	N/A	
(z) Statement on the plan as to whether wetlands exist on the site.	X			See Sheet 2.

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I GINETIA DIMATTIO

Authorize Alberto
Dimattio and FUBH LLC
to act on behalf
of the property ~~7462~~
McKinley Road Flushing
MI 48433
in regards to all zoning
and township business
property owner

Print GINETIA DIMATTIO

Sign Alberto Dimattio

4:45 PM

8/11/2022

FUBH LLC owner

Print Alberto Dimattio

Sign Alberto Dimattio



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