

# CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800

FAX: 810-659-4212

## *SPECIAL PLANNING COMMISSION AGENDA*

**DATE:** September 26, 2022

**TIME:** 4:00 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:**

September 12, 2022 Meeting

#### **IV. PUBLIC COMMENTS FOR AGENDA ITEMS ONLY:**

Each speaker limited to three minutes

#### **V. UNFINISHED BUSINESS:**

1. Consideration of a most recent Site Plan 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 and possible motion.

#### **VI. NEW BUSINESS:**

None

#### **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**

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**DENNIS JUDSON, Zoning Administrator**

Charter Township of Flushing, September 26, 2022 plan agenda

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

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

***MINUTES OF THE PLANNING COMMISSION MEETING***

**DATE: SEPTEMBER 12, 2022**                      **TIME: 7:00 P.M.**

**WEB ADDRESS <http://www.flushingtownship.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:** Amy Bolin, Vicki Bachakes, Christopher Czyzio, Craig Davis and Terry Peck

**ABSENT:** Ronald Voigt and William Mills

**OTHERS PRESENT:** Forty-five (45) other individuals were present.

**I. MEETING CALLED TO ORDER** at 7:02 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 Bolin to approve the agenda as presented.

**THE MOTION CARRIED.**

**III. APPROVAL OF PREVIOUS MINUTES:**

**COMMISSIONER CZYZIO MOVED**, supported by Commissioner Peck to approve the minutes of the August 25, 2022 special meeting.

**THE MOTION CARRIED.**

**IV. PUBLIC COMMENTS**

**OPEN FOR PUBLIC COMMENTS 7:04 P.M.**

One comment was made.

**CLOSED FOR PUBLIC COMMENTS 7:06 P.M.**

**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.

At this time, Chairperson Bachakes deferred to Jason Ball of Rowe Engineering to discuss the suggested revisions as attached. The commissioners went page by page and discussed several changes. Referenced changes are highlighted and attached to these minutes.

After a lengthy discussion the following motion was made.

**COMMISSIONER PECK MOVED**, supported by Commissioner Bolin to move this item to Unfinished Business on the October 11, 2022 agenda.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Bolin, Bachakes, Czyzio, Davis and Peck

**NAYS:** None

**ABSENT:** Mills and Voigt

**THE MOTION CARRIED.**

Jason Ball from Rowe Engineering directed by the Planning Commission will construct an updated draft ordinance with the suggested revisions for the next regular scheduled Planning Commission meeting on October 11, 2022.

**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.

Dan Brennan, a planning consultant, and Jenna Zyla, a project manager, were in attendance and gave a brief overview of the purpose for the rezoning request. The proposed project would consist of a privately funded 76-unit gated community of garden apartments. After reviewing the application and support material and a short discussion the following motion was made.

**COMMISSIONER PECK MOVED**, supported by Commissioner Czyzio to hold a Public Hearing.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Bachakes, Czyzio, Davis, Peck and Bolin

**NAYS:** None

**ABSENT:** Mills and Voigt

**THE MOTION CARRIED.**

**PUBLIC HEARING OPENED AT 8:22 P.M.**

No comments were made.

**PUBLIC HEARING CLOSED AT 8:23 P.M.**

After reviewing the application and support material and a short discussion the following motion was made.

**COMMISSIONER PECK MOVED**, supported by Commissioner Davis to approve the 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 to go to the Board of Trustees for final approval.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Peck, Bolin, Bachakes, Czyzio and Davis

**NAYS:** None

**ABSENT:** Mills and Voigt

**THE MOTION CARRIED.**

This item will be brought to the Board of Trustees at the October 13, 2022 Board of Trustees regular meeting.

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.

The applicant, Alberto Dimatteo, along with Attorney Michael Gildner and professional engineer Matt Germain were in attendance. An extensive overview of the haunted hayride and other attractions was given by Mr. Dimatteo and Attorney Gildner. After an extremely lengthy discussion, the following motion was made.

**COMMISSIONER PECK MOVED**, supported by Commissioner Davis to hold a Public Hearing.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Bachakes, Czyzio, Davis, Peck and Bolin

**NAYS:** None

**ABSENT:** Mills and Voigt

**THE MOTION CARRIED.**

**PUBLIC HEARING OPENED AT 9:10 P.M.**

- Debbie Lawrence, owner of Marcella's Bakery, reported she will be providing all the food and drinks for this attraction. She stated this will be nice for our community; a good, fun thing for the community.
- Karen Fras, of 8246 W. Mt. Morris Road, commented that their Whispering Pines business encounters a lot of traffic coming in and out and there are no issues.

- Gregory Weirauch, of 7428 N. McKinley Road, commented that he is a neighbor and welcomes this seasonal event as long as noise and mess is controlled; respects what applicant is trying to do.
- Lazarus Jones, of 8335 W. Mt. Morris Road, commented he can hear Whispering Pines more than he can hear the hayride rehearsals.
- Annabella, an employee of Michigan's Haunted Musical, commented that there is nothing quite like this, it is a place where people can have fun and will be good for the community.
- Jodi Ellsworth, of 7307 Johnson Road, commented she is employed as a tour guide at Michigan's Haunted Musical and it is going to be a fun, different experience. They are working out quirks and making sure all passengers on wagons are safe, everything goes smooth and everyone has a good time.
- Ginetta Dimatteo, mother of the applicant, commented it is difficult to sell tickets when postponing opening date.

**PUBLIC HEARING CLOSED AT 9:17 P.M.**

**COMMISSIONER PECK MOVED**, supported by Commissioner Davis to approve the request for a Special Use Permit with the following conditions:

- The permit is conditional and for this year only; it will require an annual approval from the Planning Commission.
- The hours of operation on Friday and Saturday will have last event ticket to be sold for 10:00 P.M. and on Sunday last event ticket will be sold for 9:00 P.M.
- This permit is for the months of September and October ONLY.
- If required, a driveway permit approval from the Genesee County Road Commission be provided to the township, consistent with *Special Land Use Section 20-1802*.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Davis, Peck and Bachakes

**NAYS:** Czyzio and Bolin

**ABSENT:** Mills and Voigt

**THE MOTION CARRIED.**

At this time, the planning commissioners moved onto reviewing the site plan submitted by the applicant. There was a very lengthy discussion on parking, safety, signage, lighting and inspections.

Jason Ball, of Rowe Engineering provided insight on requirements the site plan submitted by the applicant lacked. He referenced a letter he had previously submitted to Clerk Meinburg, dated August 25, 2022, which highlighted the areas of concern that need to be addressed to be compliant with the Flushing Township Zoning Ordinance.

After further discussion, the following motion was made.

**COMMISSIONER CZYZIO MOVED**, supported by Commissioner Peck to approve the site plan as submitted with no conditions.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Peck

**NAYS:** Davis, Bolin, Bachakes and Czyzio

**ABSENT:** Mills and Voigt

**THE MOTION FAILED.**

**COMMISSIONER DAVIS MOVED** to approve the site plan with conditions that were reflected in the letter offered by Rowe Engineering dated 8/25/22; building inspector be able to inspect the structures, signage approved by building inspector. There was no second on the motion and **THE MOTION FAILED.**

After further discussion, the following motion was made.

**COMMISSIONER PECK MOVED**, supported by Commissioner Davis to move this item to Unfinished Business for the next Planning Commission meeting.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Peck, Bolin, Bachakes, Czyzio and Davis

**NAYS:** None



**ABSENT:** Mills and Voigt  
**THE MOTION CARRIED.**

**VI. PUBLIC COMMENTS**

**OPEN FOR COMMENTS:** 10:16 P.M.

No comments were made.

**CLOSED FOR COMMENTS:** 10:17 P.M.

**VII. COMMISSION COMMENTS**

Commissioner Bolin thanked Jason Ball from Rowe Engineering for his help, insight and direction.

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

**IX. ADJOURNMENT**

With no further business, the meeting adjourned at 10:18 P.M.

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VICKI BACHAKES, Chairperson

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WILLIAM MILLS, Secretary

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Date of Approval

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Mandy Hemingway, Recording Secretary



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

**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.

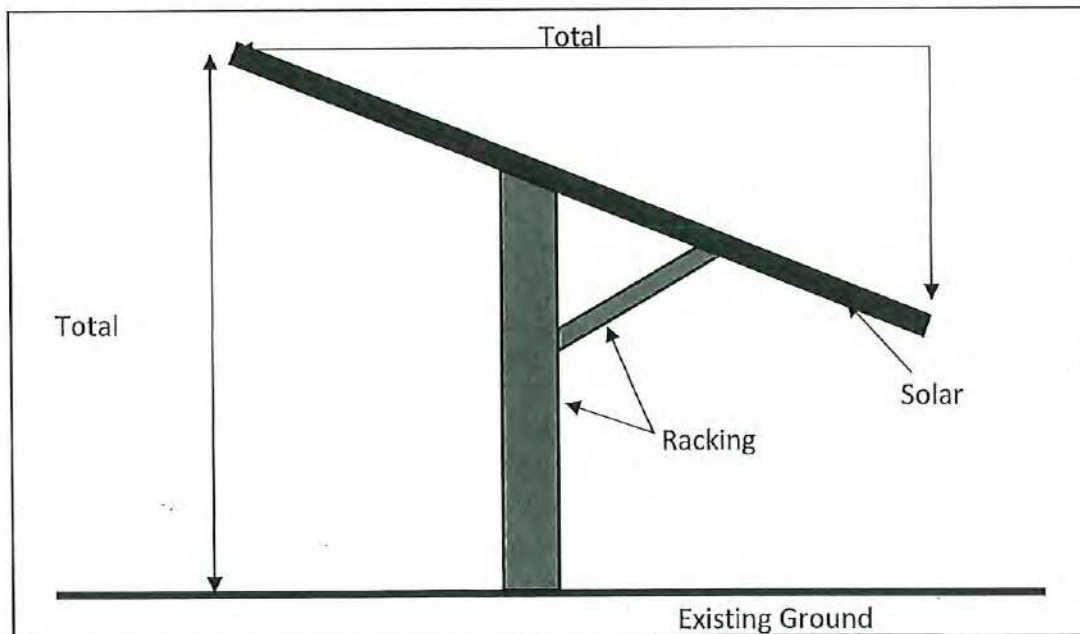
**GREENBELT:** An open area which may be cultivated or maintained in a landscaped state surrounding development or used as a buffer between land uses or to mark the edge of an urban or developed area.

**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.

**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).

**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.

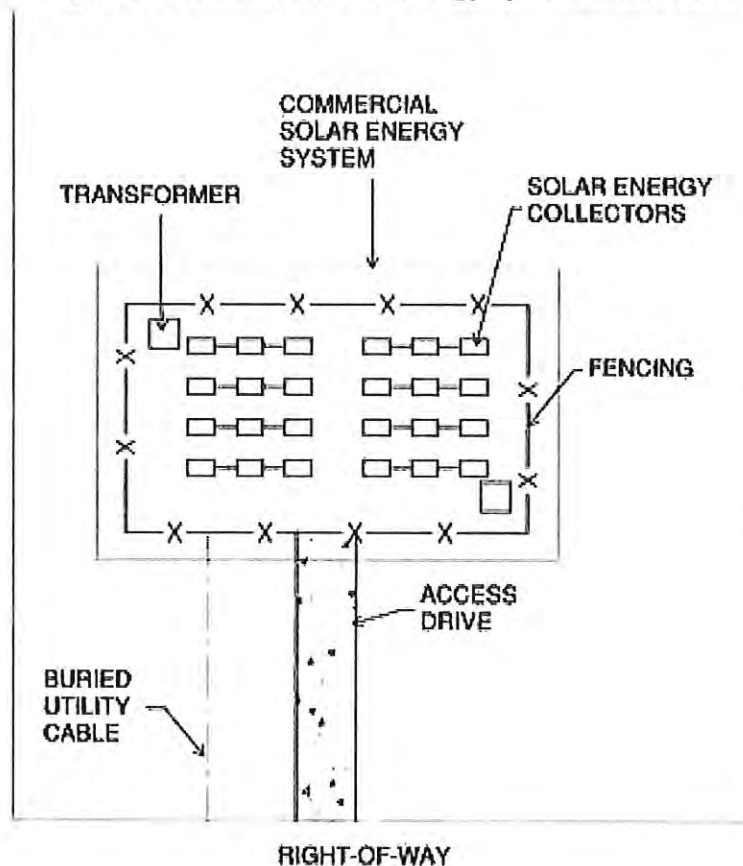
**Figure 1: Ground Mounted Solar Energy Collector Illustration**



**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.

**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



**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.

**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	
<b>ACCESSORY USES, STRUCTURES, AND BUILDINGS</b>										
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
<b>INDUSTRIAL AND RELATED USES</b>										
Commercial Solar Energy Collector	DS							DS	DS	DS



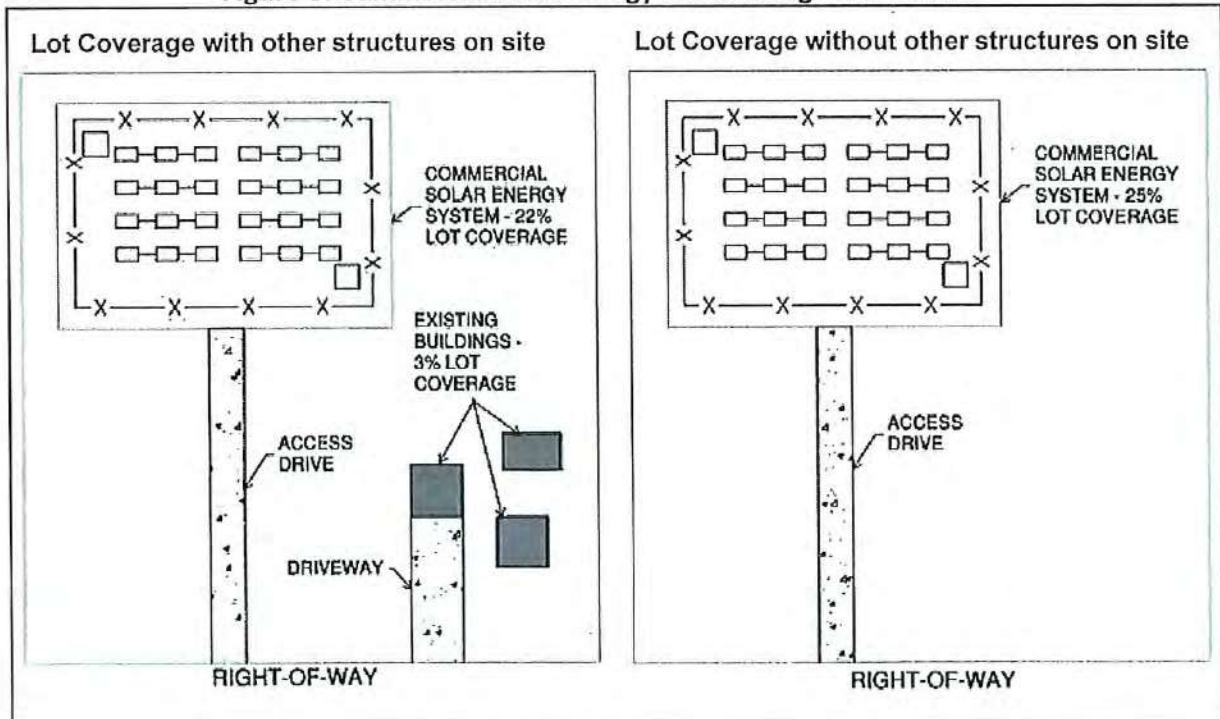
## Article 18 SPECIAL USE PERMITS

### 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.



**Planning Commissioner Comments and Requested Revisions**  
**Draft Two Solar Ordinance Amendments from 9/12/22 meeting**

**Page 2**

- Add internal and perimeter roadways
- Clarify onsite battery storage; i.e. hazardous storage, long-lasting secondary containment.
- Adding battery storage to the diagram on pg7

**Page 4**

- Add requirement of continued maintenance of ALL landscaping to Article 3

**Page 7**

- Clarify language each parcel must have some portion of the system.
- Add another graphic for clarification at planning commission's discretion.

**Page 8**

- Add the word "of" in the phrase "visual screening in excess of the minimum"

**Page 9**

- Add missing parentheses (90)

**Page 10**

- Amend township fee schedule to include this item and make a general reference to a new section 20-1804 (OO)(b)(10) stating, "Applicants for Commercial Solar Energy Systems shall pay all fees identified in the Township's Fee Schedule with their Site Plan Review application." This will allow the fee structure and amount to be updated without requiring a zoning ordinance amendment.







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

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- **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](mailto: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
<b>Sec. 20-304. Common Driveways.</b> 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.
<b>Sec. 20-305. Private Roads.</b> Are the required information provided and the road has a minimum 66ft ROW and follow other requirements?			X	No proposed private roads.
<b>Sec. 20-309. Non-Conforming Use Generally.</b> 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.
<b>Sec. 20-310. Non-Conforming Structure.</b> 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.
<b>Sec. 20-314. Non-Conventional Dwellings.</b> 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.
<b>Sec. 20-318. Temporary Dwelling Structure, Fixed, or Movable.</b> 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
<b>Sec. 20-400. Accessory Structures.</b> 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)
<b>Sec. 20-403. Lot Sizes.</b> 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.
<b>Sec. 20-404. One Family Dwelling Regulations.</b> 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
<b>Sec. 20-405. Clear Vision Zone.</b> 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.
<b>Sec. 20-406. Curb Cuts and Driveways.</b> 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.
<b>Sec. 20-408. Fences, Walls, and Other Protective Barriers.</b> 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.
<b>Sec. 20-409. Incinerators and Outside Trash Containers.</b> Do any proposed incinerators and outside trash containers follow these requirements?	?			No outdoor trash container identified. Applicant to confirm use of trash receptacles.
<b>Sec. 20-410. Lot Grades.</b> 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.
<b>Sec. 20-411. Setback.</b> 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.
<b>Sec. 20-413. Storage in Front Yard.</b> 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.
<b>Sec. 20-414. Water Supply.</b> Does the proposed development have safe, adequate, and sanitary water supply?			X	No proposed connection to water services.
<b>Sec. 20-415. Private Water Supply.</b> Does the proposed development met the requirements to have a private water supply?		X		No proposed connection to private water supply.
<b>Sec. 20-416. Performance Standards.</b> 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 Electronical Disturbance.			X	Proposed use does not intend to use radioactivity or electronical 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

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

<b>Sec. 20-702 Table of District Regulations</b>		
<i>District Requirement</i>	<b>Ordinance Standard</b>	<b>Proposed Plot Plan</b>
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	

<b>Article 18: Special Use Permits Requirements Sec. 20.1800.D Agricultural Tourism Facilities</b>	<i>Does Site Plan Include This Information</i>			<b>Comment</b>
	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

<b>Sec. 20-1902 Site Plan Review Requirements</b>				
<i>Required Information</i>	<i>Does Site Plan Include This Information</i>			<b>Comment</b>
	Yes	No	N/A	
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				
Required Information	Does Site Plan Include This Information			
	Yes	No	N/A	Comment
(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>			
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment</b>
(z) Statement on the plan as to whether wetlands exist on the site.	<b>X</b>			See Sheet 2.

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## Environmental Resources Group

28003 Center Oaks Court • Suite 106 • Wixom, MI • 48393  
Phone: 248-773-7986 • Fax: 248-924-3108

September 19, 2022

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

**RE: Draft Response Letter and Revised Site Plan  
7462 North McKinley Road, Flushing, MI  
ERG Project No. 9654**

Dear Ms. Meinberg:

Environmental Resources Group, LLC (ERG) was hired by Michigan's Haunted Musical (MHM) business to prepare a Site Plan associated with their request for a Special Land Use permit from the Township's Planning Commission (PC). The PC held a public hearing on September 12, 2022 and the public expressed overwhelming support for this new business located in an RSA Residential Suburban Agriculture district. In a split decision, the PC approved the special land use permit for the seasonal attraction.

The Township Ordinance (Section 20-1902) includes requirements for a complete Site Plan which also needs PC approval. ERG's original drawing set was received and reviewed by ROWE Professional Services Company prior to the September 12, 2022 meeting and a number of deficiencies were noted in their August 25, 2022 letter.

The purpose of this letter is to respond to ROWE's letter and to identify where the appropriate information has been added to ERG's revised Site Plan drawings. For simplicity, our letter abbreviates ROWE's concerns (underlined) and then explains how the deficiency was addressed (*in italics*).

- Section 20-1902 – Site plan needs to be drawn to 1 inch = 20-foot scale.  
*Two additional sheets were included with the scale increased for improved readability. The new drawings at the 20 scale are provided as Drawings 5 and 6.*
- Section 20-1902(d) – Parking space and vehicle maneuvering lane dimensions were not provided.  
*The prints are drawn to scale so the land and parking space dimensions can be measured from the prints. Based on the revised prints provided with this letter, the vehicle parking spaces are 11.1 feet wide, the maneuvering lanes within the parking lot area are 20 feet wide, and the access one-way drives from the road to the parking lot and back to the road (all one-way travel) are 15 feet wide.*



- Section 20-1902(g) – Provide height and dimensions of all structures.  
*The 320-square foot (SF), single story structure referenced on the Special Use Permit application refers to the agricultural building recently added to the farm for storage. That structure will not be used when MHM’s hayride operates on the weekends. However, new structures have been added at hayride stops 1 and 2 for use solely as stage props as part of the hayride entertainment. ERG has included details on the prop construction on Drawings 7, 8, and 9. There is no constructed structure/prop at Stop 3 (close to where the customers exist the wagons) as it uses a large natural tree instead. At Prop 3 two small concrete pads are proposed, again for use by the actors. Details on these pads are provided on Drawing 10.*
- Section 20-1092(h) – Provide front, rear, and side elevations for any accessory structures.  
*The common definition of an “accessory structure” is a permanent subordinate structure located on the same lot whose use is clearly incidental to and associated with the principal structure, and clearly and customarily related to the principal structure or use. Examples of typical accessory structures include a detached garage, garden and tool sheds, and playhouses. For purposes of this special use permit, offering hayrides is allowed on agriculturally zoned property, and the entertainment props/accessory structures discussed in 1920 (g) above are directly related to the hayride. However, unlike the example accessory buildings listed above, the MHM structures are not inhabitable by people as they have no doors or windows at ground level. ERG’s Site Plan drawings have been revised to include the prop dimensions (see Drawings 7 and 9).*
- Section 20-1902(j) – Provide locations, dimensions, and lighting of all signs.  
*MHM intends to install one non-permanent sign, 140 feet south of the road centerline, to note the entrance driveway. This sign will be removed after the special use permit operational period ends. Details on the sign size and lighting is provided in the new Drawing 11. The business intends to use dozens of other on-site pedestrian and vehicle directional signs, to assist with people and traffic movement, ticket sales, food tent, and bathroom location, and for the safety of all patrons. None of these other signs will be lighted, other than ambient light from the portable lamps.*
- Section 20-1092(k) – Provide location, intensity, and orientation of all lighting.  
*Drawing 4 has been modified to show the locations of the portable parking lighting. None of the lamps to be used are permanent. Details on the intensity is provided on the drawing. Additional solar powered lights are used near the wagon loading and unloading and bathroom areas for safety.*
- Section 20-1902(m) – Provide physiographic map showing natural topography, soil types, natural features, current surface coverage for stormwater runoff.  
*ERG added additional site maps showing topography from the county GIS Department, soil types from USDA’s Web Soil Survey, and aerial maps showing the natural features. Note that since this*



*special land use application Site Plan does not involve any construction (buildings, pavement, etc.) ERG asks for a waiver from the Planning Commission on providing topographic map with one-foot contours. The map provided from the County GIS Department has 2-foot contour intervals.*

- Section 20-1902(t) – Submit a “State/County Environmental Permit Checklist”  
*See attached checklist in Attachment A. There are no environmental permits needed to operate the seasonal MHM.*

Additional comments provided by ROWE addressed compliance of the special land use application with the current Township zoning. ERG’s comments on these items are provided below following the same format as above.

- Section 20-400 – Accessory Structures  
*The setbacks of the props discussed above are all hundreds of feet from the perimeter property lines. These props are planned to be permanent, as evidenced by their construction with concrete foundations and hard pavement sidewalks.*
- Section 20-405 – Clear Vision Zone  
*The required clear vision zone required by the Genesee County Road Commission (GCRC) is 495 feet in both directions since the speed limit on the road is 55 miles per hour. The trees have been cleared and the clear zone is now show on the drawings.*
- Section 20-406 – Curb Cuts and Driveways  
*MHM received a driveway permit, for agricultural use, from the GCRC. See details in Attachment B. It is the owner’s opinion that the GCRC is satisfied with the driveway for the 2022 Special Use Application but that additional improvements will be needed in 2023 to meet the standards of a Commercial Driveway entrance.*
- Section 20-408 – Fences, Walls, and Other Protective Barriers  
*No new permanent fences are intended to be constructed for operation of the hayride attraction. Some pedestrian barriers will be used to separate people and vehicles, but these are only temporary and will consist of steel posts and plastic snow fence, caution tape or similar temporary barriers.*
- Section 20-409 – Outside Trash Containers  
*Trash containers will be spaced in equal distances from the parking lot to the wagon loading and unloading areas. These will be emptied as needed and transported to the existing waste receptacles, located at the farm buildings west of the hayride attraction.*



- Section 20-416 – Performance Standards  
*The family-related musical presentations, scheduled for each Prop Locations 1, 2 and 3, are of short duration (less than 3 minutes) and the stages have been designed such that the noise from the presentation is directed toward the center of the parcel, not toward the outside boundaries. The customers remain on the transport wagon (maximum of 60 people per wagon) at all times during the hayride, so no trash receptacles are needed along the trail route.*
- Section 20-419 – Farm Animals and Horses  
*Again, there is no proposed accessory structure associated with the Special Use Application. The farmer did add a prefabricated building near the new farm driveway for storage of equipment and supplies associated with the care of exotic livestock (the formerly red-tagged building), but its recent arrival is only coincidental. Farm operations can build accessory structures on their property provided they meet the construction set back standards. For the single story 320 SF building, it sits approximately 230 feet south of the center of Mt. Morris Road.*
- Section 20-501 – Off-Street Parking Requirements  
*ERG understands the importance of confirming there is adequate parking for the facility, so other safety hazards are avoided (such as street parking or along internal driveways). When comparing the proposed seasonal hayride to facilities like assembly halls, churches, mortuaries, and theaters, which are fixed structures, requiring one vehicle space per every three seats, the proposed parking for the MHM is close. For the 2022 season, the number of performances and people that can be accommodated per day has been capped at 900 customers. These patrons would be handled over a six-hour period beginning at 5 PM and concluding by 11 PM (except for Sunday, closing one hour sooner). The maximum number of customers that could be served per hour is 480 (when two wagons are being loaded simultaneously, each with 60 people, and four cycles/hour). For this inaugural season, MHM has decided to limit it to 240 people per hour such that only one wagon will be loaded every 15 minutes. At the 1:3 ratio mentioned above, this equates to 80 spaces. The Site Plan provided includes parking spaces sufficient to handle 186 vehicles or a safety factor of over 2.3.*
- Section 20-702 – Table of District Regulations (Article 7)  
*The agricultural parcel is over 56 acres, far exceeding the 30,000 SF ordinance standard. The parcel width and depth distances have been added to the revised Site Plan drawings and far exceed the ordinance standards (see Drawing 4). As noted in the drawings, all portions of MHM's temporary (less than two months) special land use application satisfy the minimum setback distances for the front, side, and rear. No human-occupied buildings are proposed; the maximum height of the tallest prop is 40 feet (one steel cargo container erected on end).*
- Section 20-1800.D – Agricultural Tourism Facilities





*MHM's hayride attraction does not include any indoor assembly areas. At maximum capacity, a total of 480 people could be accommodated in one hour. These people would arrive in cars with between 3 and 4 people each representing between and 120 and 160 cars per hour, or about 2.66 cars/minute. Again, for the 2022 season the number of patron per/hour have been artificially reduced. Further, the GCRC has approved the existing driveway, as improved, for the 2022 season.*

It is ERG's opinion that the proposed special land use application meets the Township's definition of an "agricultural tourism facility." The hayride entertainment is incidental to the visit to the farm to experience the animals and tractors and it clearly isn't a circus or carnival or other type of transient amusement enterprise that should have a limited number of days of operation per year.

It is ERG's opinion that the revised Site Plan (attached) addresses all of ROWE's Site Plan concerns and so we respectfully request approval of the Site Plan as presented.

If you have any questions, please contact me at 810-449-9366.

Sincerely,

**ENVIRONMENTAL RESOURCES GROUP, LLC**

A handwritten signature in blue ink that reads "Matthew J. Germane".

Matthew J. Germane, P.E.  
Senior Project Manager

MJG/kk

Cc: Michigan's Haunted Musical, Owner

Enclosures – Attachments A & B  
Revised Site Plan Drawings (dated September 2022)

## ATTACHMENT A

**ATTACHMENT B**

----- Forwarded message -----

From: **Dilorenzo, William** <[WDilorenzo@gcrc.org](mailto:WDilorenzo@gcrc.org)>

Date: Wed, Sep 14, 2022, 9:14 AM

Subject: RE: Haunted Musical CAD Drawings

To: Michael Gildner <[MGildner@sfplaw.com](mailto:MGildner@sfplaw.com)>

Cc: [michiganshauntedmusical@gmail.com](mailto:michiganshauntedmusical@gmail.com) <[michiganshauntedmusical@gmail.com](mailto:michiganshauntedmusical@gmail.com)>, Johnston, Eric <[EJohnston@gcrc.org](mailto:EJohnston@gcrc.org)>

Michael,

After reviewing the proposed plans and checking for sight distance we can give you temporary access that will be valid until 8-1-23. The permit and access will be void after 8-1-23. The temp drive requirements will be a minimum of 24' drive with a minimum of 20' rad. The culvert that has been placed has been crushed on the ends and will need to be replaced prior to access being granted. The existing culvert will not support a full commercial approach and at the time of a full commercial approach being installed will have to be extended or replaced. If the access will still be required and your client would like to proceed with his operations after 8-1-23 we will need everything as discussed. Traffic impact study along with full commercial approach will be required. We will need a full set of civil plans prior to issuing the final permit. Please keep in mind to allow for time of review when applying for the final permit, we require up to 30 days for review and if revisions are required the process may take longer.

The requirements for a commercial drive were updated in March 21, 2017, updated September 24, 2019 and updated again September 21, 2021.

Prior to issuing the temp drive we will require the owner to make application at [Oxcartpermits.com](http://Oxcartpermits.com) or by going to our website for the link, [GCRC.Org](http://GCRC.Org).

The permit fee for the temp drive will be \$100. A \$6,000 cash deposit, cashier's check, bank money order will be required.

If you have any questions please let me know.

Thanks

Bill DiLorenzo – Permit Specialist  
Genesee County Road Commission  
(810) 767-4920, Ext 242

# MICHIGAN'S HAUNTED HAYRIDE

7462 N MCKINLEY, FLUSHING, MI 48433

## REVISED SITE PLAN

SEPTEMBER 2022  
PROJECT NO.: 9654

### INDEX OF DRAWINGS

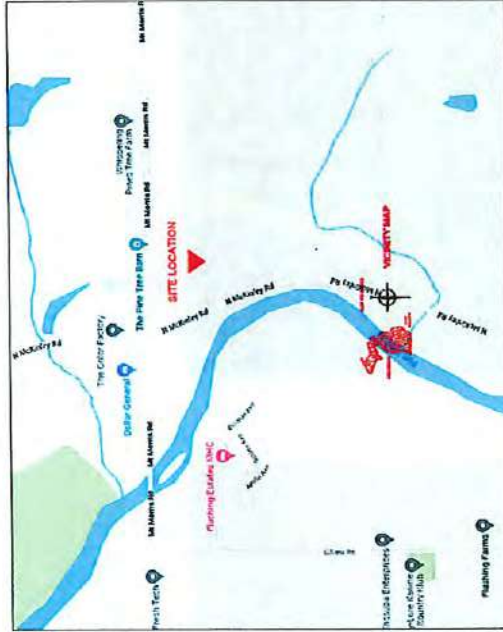
DRAWING NO.	TITLE
1	TITLE SHEET
2	SITE MAPS (1)
3	SITE MAPS (2)
4	SITE PLAN
5	SITE PLAN BLOWUP (1)
6	SITE PLAN BLOWUP (2)
7	PROP 1 DETAILS
8	PROP 2 FOUNDATION DETAILS
9	PROP 3 DETAILS
10	PROP 3 DETAILS
11	ENTRANCE SIGN

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

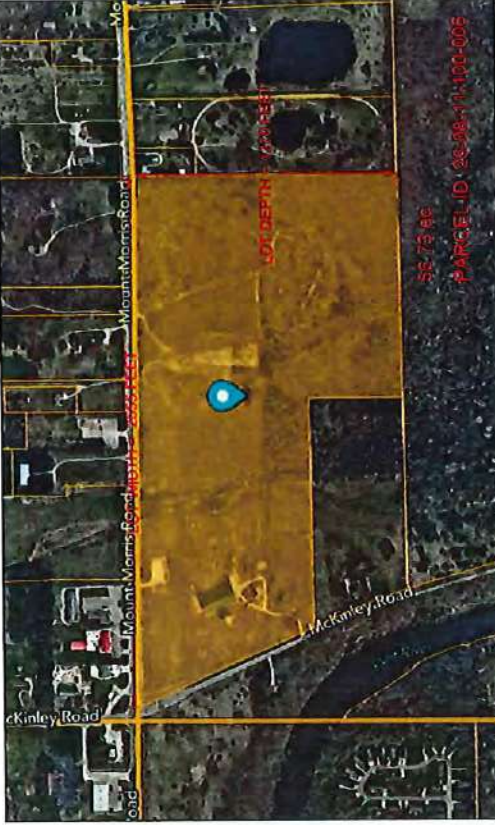
*Matthew J. Gerbanc*  
MATTHEW J. GERBANC, P.E.

8/11/2022

DATE



SITE LOCATION



AERIAL PHOTOGRAPH  
(PARCEL MAP)

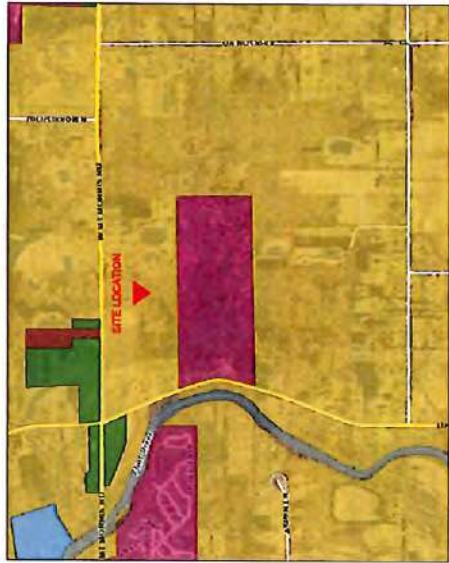


There is no working draw  
before you dig, call the  
MDES DIG 311 at  
1-800-485-2777



8/11/2022  
DATE





**GENESEE COUNTY ZONING MAP**  
SOURCE: GENESEE COUNTY GIS

**LEGEND**

- RESIDENTIAL, SUBURBAN AGRICULTURE DISTRICT
- RESIDENTIAL, OPEN WETLAND TRAILER PARKS (SPECIAL DISTRICT)
- COMMERCIAL GENERAL DISTRICT
- RESIDENTIAL, URBAN MULTIFAMILY (7) DISTRICT
- RECREATION AND RECREATION DISTRICT



**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

REV	DATE	DESCRIPTION	BY	APP'D
1	08/11/2022	ISSUED FOR PERMIT	JCH	MLC

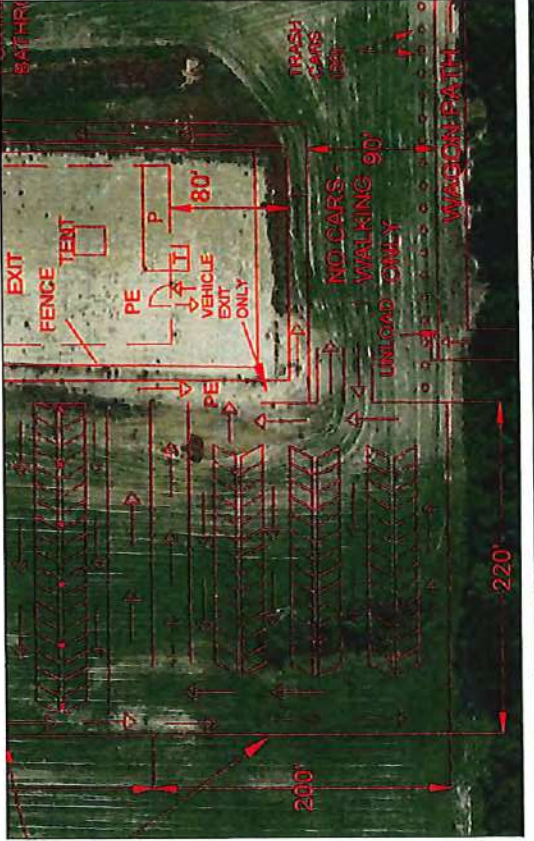


**Environmental Resources Group**  
2800 Center Court, Suite 200 • White, MI 48407  
Phone: 248-727-9848 • Fax: 248-727-9858









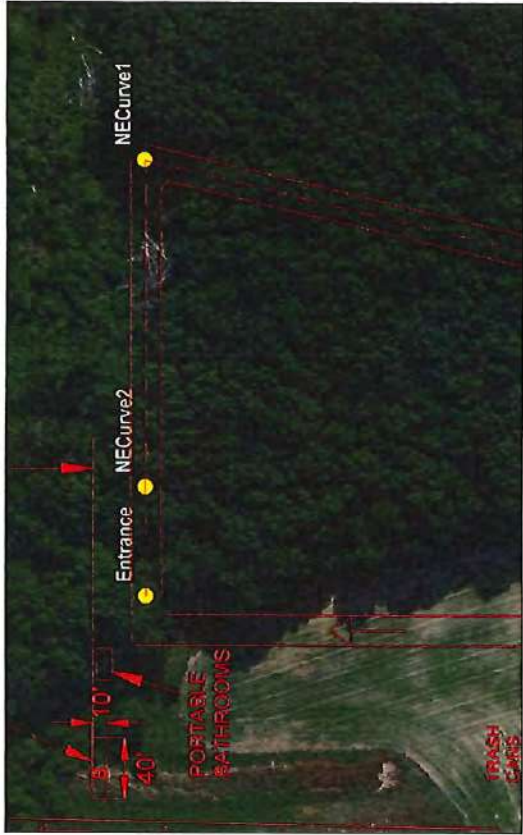
SITE PLAN  
SCALE: 1" = 20'



REV.	DATE	DESCRIPTION	DATE BY	CHK BY	APP BY

**ERG** Environmental Resources Group  
 28003 Center Oaks Court • Suite 206 • Wilson, MI • 48393  
 Phone: 248-773-7986 • Fax: 248-724-1106

MICHIGAN'S HAUNTED HAYRIDE  
 7462 N MCKINLEY, FLUSHING, MI 48433  
 DRAWING PURPOSE: (POND, ETC.)  
 SITE PLAN BLOWUP (1)

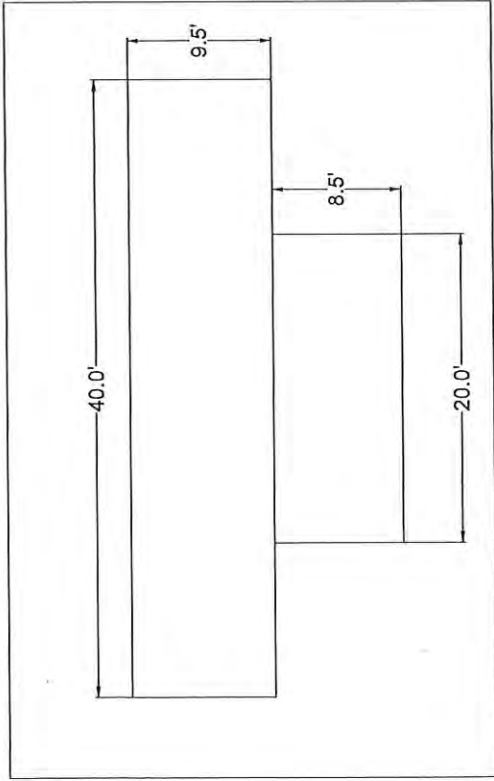


REV.	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	DATE
1	05/11/2022	ISSUE FOR PERMIT	JAC	MAJ	

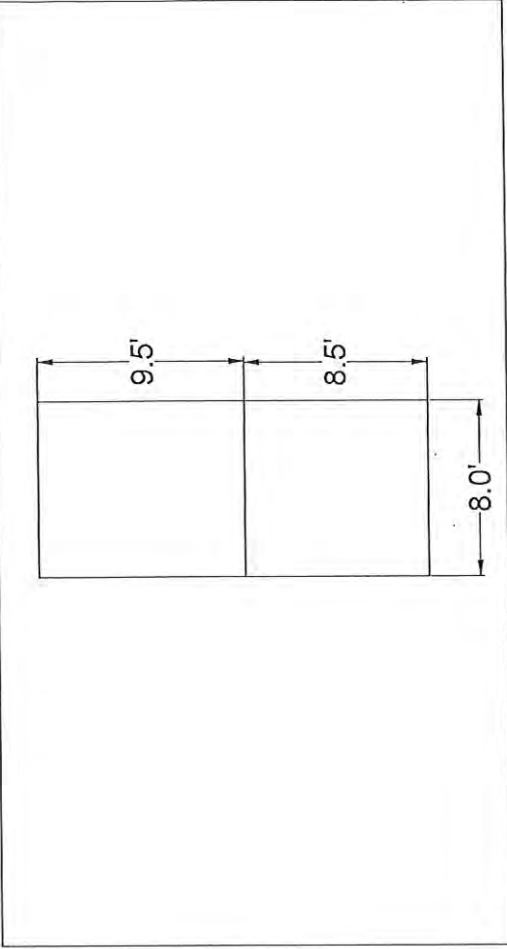
**ERG** Environmental Resources Group  
 7300B Center Oaks Court • Julia 206 • Warren, MI • 48093  
 Phone: 248-773-7986 • Fax: 248-724-3108

MICHIGAN'S HAUNTED HAYRIDE  
 7482 N MCKINLEY, FLUSHING, MI 48433  
 DRAWING PURPOSE (POND, ETC.)  
**SITE PLAN BLOWUP (2)**

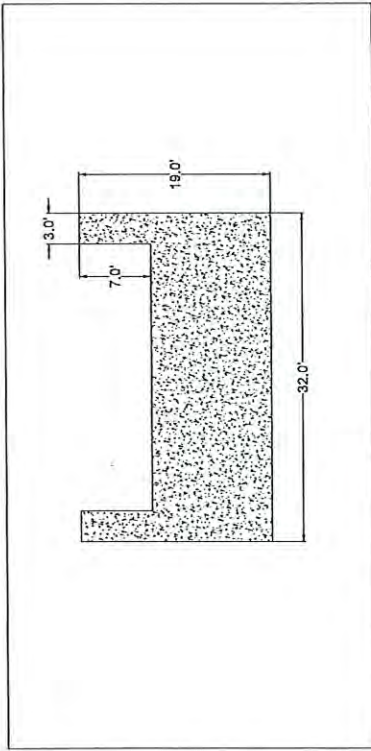
DRAWING NO. **6**  
 PROJECT NO. 1904



**PROP 1 FRONT VIEW**  
 STEEL CARGO CONTAINERS (20'x40')  
 NOTE: NO DOORS OR HUMAN OCCUPANCY  
 NOTE: PROP USES PROFESSIONALLY  
 INSTALLED LIGHTING



**PROP 1 SIDE VIEW**  
 STEEL CARGO CONTAINERS (20'x40')



**PLAN VIEW OF PROP 1 SIDEWALK**

**GENERAL NOTES/CONSTRUCTION:**  
 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION.  
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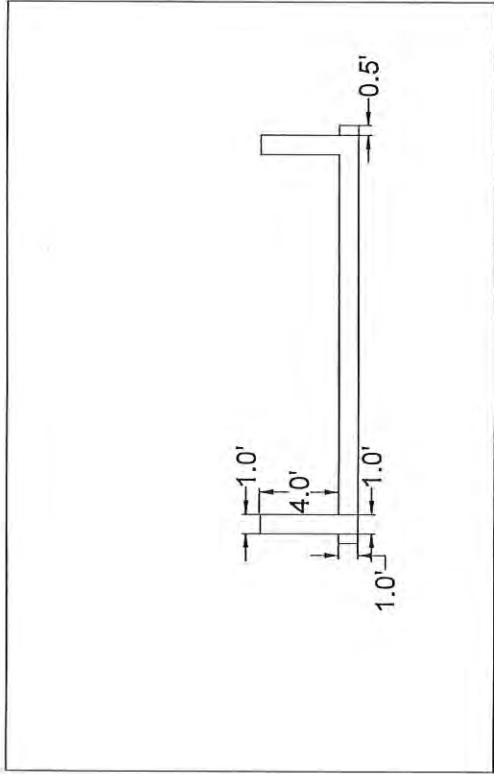
**CONSTRUCTION:**  
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REV	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	DATE OF MAKE

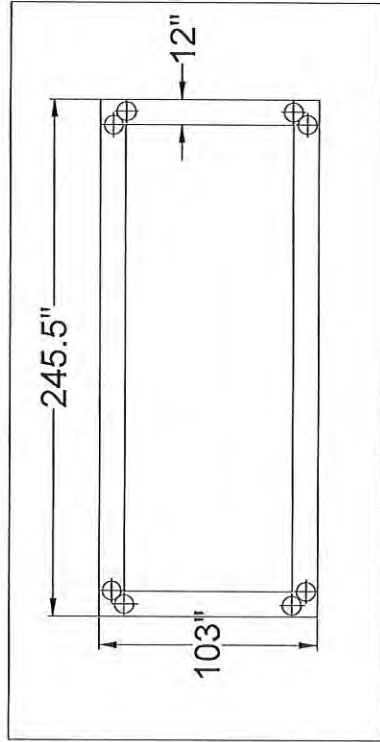


**ERG** Environmental Resources Group  
 2803 Center Drive Court • Searo 3034 • Wilson, MI • 48393  
 Phone: 248-773-7986 • Fax: 248-916-3106

**MICHIGAN'S HAUNTED HAYRIDE**  
 7462 N MCKINLEY, FLUSHING, MI 48433  
**PROP 1 DEATLS**



PROP 1 CONCRETE CROSS SECTION



NOTE: X2 ANCHOR BOLTS PER CORNER

PROP 1 CONCRETE PLAN VIEW

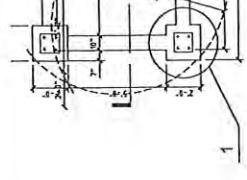


REV	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	DATE



MICHIGAN'S HAUNTED HAYRIDE  
7462 N MCKINLEY, FLUSHING, MI 48433  
PROP 1 FOUNDATION DETAILS

**PROP 2**

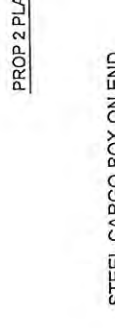


**FOUNDATION PLAN**

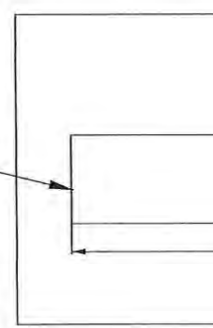


**PROP 2 THICK ASPHALT**

**PROP 2 PLAN VIEW**



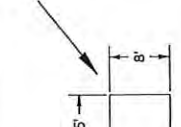
**STEEL CARGO BOX ON END**



**WOOD FRAME STRUCTURE**

**PROP 2 SIDE VIEW**

**SECTION 1-1**



**REINFORCEMENT DETAIL 1**

**SLAB CONSTRUCTION NOTES**

- PROVIDE CONCRETE SLAB OVER 2" POLYPROPYLENE FIBERS AND 4" WELDED WIRE FABRIC WITH 4,000 PSI MIX CONCRETE.
- MAXIMUM SLUMP FOR CONCRETE SLAB WILL BE 9" WITH TYPE II CEMENT.
- ALL USE REINFORCING FABRIC SHALL BE IN ACCORDANCE WITH ASTM A-185. LAP ADDITIONAL PIECES AT LEAST ONE FULL MESH. WELDED WIRE FABRIC SHALL BE ORDERED IN SECTIONS NOT TO EXCEED 20' LONG. ALL FABRIC SHALL BE THE SAME COMpressive STRENGTH OF THE SLAB.
- THE ALTERNATIVE WIRE OF THE WELDED WIRE FABRIC MUST BE PRECUT AT THE SLAB CONTRACTION JOINT LOCATIONS TO CREATE A "WELDED PLANE".
- THE USE OF POLYPROPYLENE FIBERS (IN LIEU OF WELDED WIRE FABRIC) IS PROHIBITED.
- ALL POROUS FILL MATERIAL SHALL BE A CLEAN GRANULAR FILL MATERIAL WITH 100% PASSING THE #100 SIEVE. IT SHALL BE COMPACTED TO 98% MAX DENSITY PER ASTM D-1557 MODIFIED PROCTOR METHOD.
- SLAB JOINTS SHALL BE FILLED WITH A SEALANT PER THE MANUFACTURER RECOMMENDATIONS.
- SLABS EXPOSED TO WEATHER SHALL BE AIR ENTRAINMENT TO 5% (BY WEIGHT) WITH AN ADMIXTURE THAT CONFORMS TO ASTM C-330.
- THE SLAB SHALL BE WET CURED BY KEEPING THE SLAB MOIST FOR A PERIOD OF 7 DAYS PER THE MANUFACTURER'S RECOMMENDATIONS.
- REMOVE ANY SOFT OR SOIL MATERIAL ENCOUNTERED UNDER FOOTINGS, UNLESS OTHERWISE NOTED. PROVIDE THE FOLLOWING COVER FOR FOUNDATION REINFORCEMENT: #4 OR SMALLER 1" ABOVE GRADE OR #4 OR SMALLER 2" BELOW GRADE.
- ALL BARS SHALL BE LAPPED 49 X THE BAR DIAMETER AT SPLICES.
- PRIOR TO COMMENCING FOUNDATION WORK, COORDINATE WORK WITH UTILITIES.
- A LAYER OF WELDED REINFORCING GRANULAR MATERIAL SHALL BE PLACED UNDER THE FOUNDATION TO PROVIDE A UNIFORM BEARING SURFACE.

**FOUNDATION NOTES**

- ALL FOOTINGS SHALL BEAR ON UNDISTURBED, FIRM NATURAL SOIL OR COMPACTED FILL CAPABLE OF SUPPORTING A DESIGN BEARING PRESSURE OF 3,000 PSF, BY GEOTECHNICAL REPORT.
- REMOVE ANY SOFT OR SOIL MATERIAL ENCOUNTERED UNDER FOOTINGS, UNLESS OTHERWISE NOTED. PROVIDE THE FOLLOWING COVER FOR FOUNDATION REINFORCEMENT: #4 OR SMALLER 1" ABOVE GRADE OR #4 OR SMALLER 2" BELOW GRADE.
- ALL BARS SHALL BE LAPPED 49 X THE BAR DIAMETER AT SPLICES.
- PRIOR TO COMMENCING FOUNDATION WORK, COORDINATE WORK WITH UTILITIES.
- A LAYER OF WELDED REINFORCING GRANULAR MATERIAL SHALL BE PLACED UNDER THE FOUNDATION TO PROVIDE A UNIFORM BEARING SURFACE.

**CAST-IN-PLACE CONSTRUCTION NOTES**

- CONCRETE MIXES SHALL BE DESIGNED PER ACI 318, USING PORTLAND CEMENT CONFORMING TO THE ASTM C-150 OR C-596, AGGREGATE CONFORMING TO ASTM C-33, AND ADMIXTURES CONFORMING TO THE ASTM C-494, C-491B, C-911, AND C-926. CONCRETE SHALL BE READY MIXED IN ACCORDANCE WITH ASTM C-941.
- CONCRETE SHALL CONFORM TO THE FOLLOWING FOUNDATION: 3,000 PSI SLAB ON GRADE 4,000 PSI
- REINFORCING STEEL INCLUDING HOOPS AND BENDS, SHALL BE DETAILED IN ACCORDANCE WITH ACI 318. ALL REINFORCING STEEL SHALL BE EPOXY COATED UNLESS OTHERWISE NOTED.
- BAR SUPPORTS SHALL BE PROVIDED FOR ALL REINFORCING STEEL TO ENSURE MINIMUM CONCRETE COVER. BAR SUPPORTS SHALL BE PLASTIC TYPED OR SPANCLER STEEL.
- CONCRETE SHALL BE WET CURED BY KEEPING THE SLAB MOIST FOR 7 DAYS PER THE MANUFACTURER'S RECOMMENDATIONS.

**STRUCTURAL NOTES**

- THE STRUCTURAL DRAWINGS SHALL BE USED IN CONJUNCTION WITH THE CONTRACTOR SHALL VERIFY THE REQUIREMENTS OF OTHER TRADES AS TO INTERFERENCES, SERVICES, AND OTHER ITEMS TO BE TRACED OR SET IN THE FIELD.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH ALL SAFETY PRECAUTIONS AND REGULATIONS DURING THE WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO CONFIRM ALL FIELD DIMENSIONS AND UNUSUAL CONSTRUCTION CONDITIONS THAT AFFECT SAFETY, LABOR, AND MATERIALS. THE CONTRACTOR SHALL CONTACT THE ENGINEER BEFORE PROGRESS, IN CASE OF CURRENT AND/OR FUTURE DISCREPANCIES IN THE PROJECT.
- STRUCTURAL DESIGN CATEGORY: II
- SEISMIC BUILDING CODE: 2009 IBC SECTION, ASCE 7-17
- WIND SPEED: 105 MPH PER ASCE 7-16 WIND MAP (RISK CATEGORY II)
- WIND EXPOSURE CATEGORY: B
- WIND VELOCITY: ENCLOSED
- DEAD LOAD CONTAINER SELF WEIGHT: 8000 lb
- SCALE: AS SHOWN
- DATE: 08/11/2022
- BY: [Signature]
- CHECKED BY: [Signature]

**NOTE: PROP USES PROFESSIONALLY INSTALLED LIGHTING**

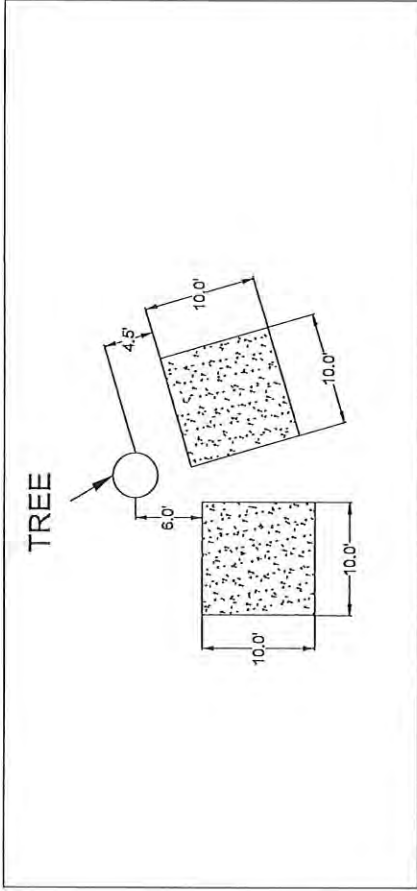


NOTE: NO DOORS OR HUMAN OCCUPANCY

REV.	DATE	BY	CHK.	DESCRIPTION

**ERG** Environmental Resources Group  
 3800 Cedar Dale Court • Southfield, MI • 48034  
 Phone: 248-773-7966 • Fax: 248-924-3108

**DRAWING** 9  
**PROJECT NO.** 3004  
 MICHIGAN'S HAUNTED HAYRIDE  
 7462 N MCKINLEY, FLUSHING, MI 48433  
**PROP 2 DETAILS**



PROP 3 CONCRETE SLABS: MIN. 3,000 PSI, 4. INCHES THICK

NOTE: PROP USES PROFESSIONALLY  
INSTALLED LIGHTING

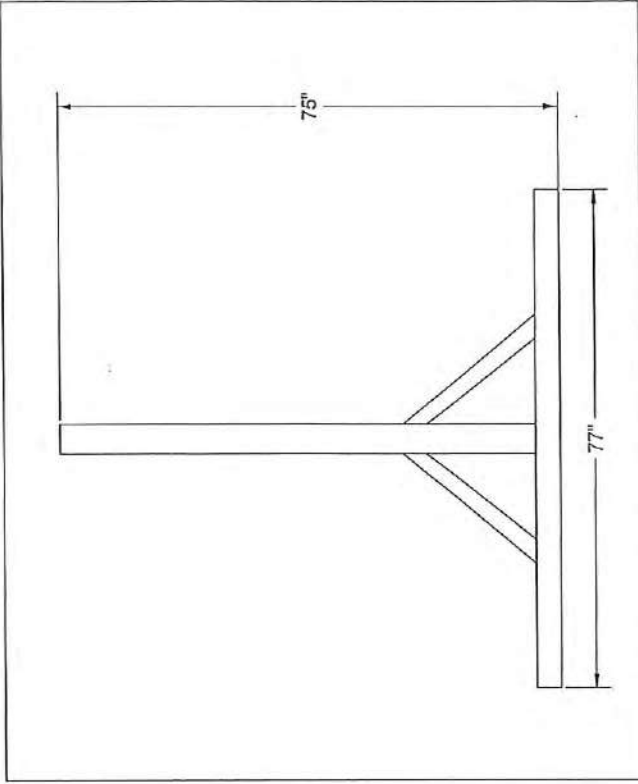


REV.	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	DATE OF CHECK

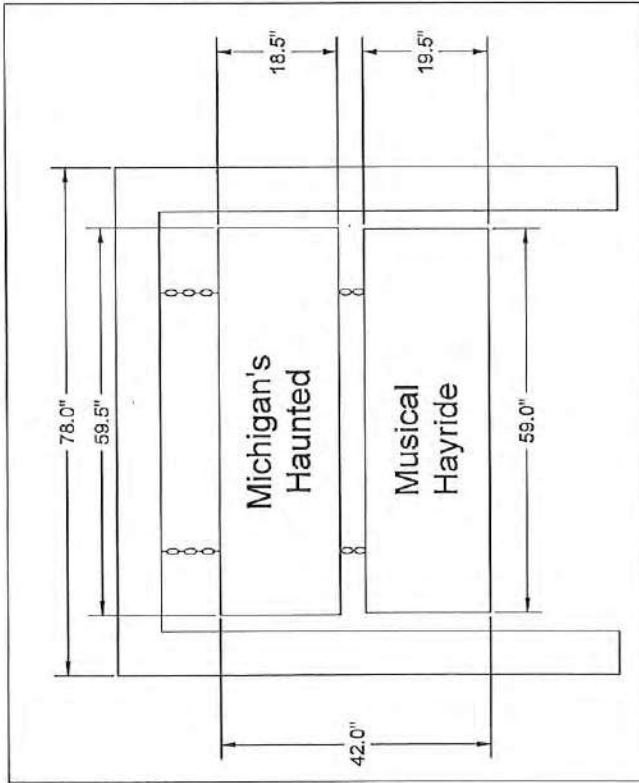


MICHIGAN'S HAUNTED HAYRIDE  
7482 N MCKINLEY, FLUSHING, MI 48433

PROP 3 DETAILS



Sign Details: Side View



Sign Details: Front View

NOTE: SIGN LIT BY  
SMALL SOLAR  
LANDSCAPING LIGHT



REV	DATE	BY	CHKD	APP'D	DESCRIPTION

**ERG** Environmental Resources Group  
 2802 Center Oaks Court • Clarkston, MI • 48303  
 Phone: 248-773-7985 • Fax: 248-643-1258

MICHIGAN'S HAUNTED HAYRIDE  
 7482 N MCKINLEY, FLUSHING, MI 48433  
**SIGN DETAILS**







## MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

### PERMIT INFORMATION

[Michigan.gov/EGLEPermits](http://Michigan.gov/EGLEPermits)

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) has prepared a list of key questions to help identify what EGLE permits, licenses, or approvals of a permit-like nature may be needed. By contacting the appropriate offices indicated, you will help reduce the possibility that your project or activity will be delayed due to the untimely discovery of additional permitting requirements later in the construction process. While this list covers the existence of permits and approvals required from EGLE, it is not a comprehensive list of all legal responsibilities. A useful way to learn whether other requirements will apply is to go through the Self-Environmental Assessment in the Michigan Guide to Environmental, Health, and Safety Regulations, online at: [Michigan.gov/EHSguide](http://Michigan.gov/EHSguide). Please call the Environmental Assistance Center at 800-662-9278 to talk with any of the EGLE programs noted below.

#### How Do I Know that I Need a Construction Permit?

- 1) Will your business involve the installation or construction of any process equipment that has the potential to emit air contaminants (e.g. dry sand blasting, boilers, standby generators)? Air Quality Permit to Install, Air Quality Division (AQD), [Permit Section](#)

Yes  No

- 2) Does the project involve renovating or demolishing all or portions of a building? Notification is required for asbestos removal and required for all demolitions even if the structure never contained asbestos. Asbestos Notification, AQD, [Asbestos Program](#), 517-284-6777

Yes  No

- 3) Please consult the [Permitting at the Land and Water Interface Decision Tree](#) document to evaluate whether your project needs a land and water management permit (i.e., Does the project involve filling, dredging, placement of structures, draining, or use of a wetland?). Land and Water Featured Programs (Water Resources Division - WRD) - [Joint Permit Application](#), 517-284-5567:

- a. Does the project involve construction of a building or septic system in a designated Great Lakes high risk erosion area?

Yes  No

- b. Does the project involve dredging, filling, grading, or other alteration of the soil, vegetation, or natural drainage, or placement of permanent structures in a designated environmental area?

Yes  No

c. Does the project propose any development, construction, silvicultural activities or contour alterations within a designated critical dune area?

Yes  No

d. Does the project involve construction of a dam, weir or other structure to impound flow?

Yes  No

4) Does the project involve an earth change activity (including land balancing, demolition involving soil movement, and construction) or does the project involve construction which will disturb one or more acres that come into contact with storm water that enters a storm sewer, drain, lake, stream, or other surface water? Soil Erosion and Construction Storm Water, 269-567-3515, or Local Agency

Yes  No

5) Does the project involve the construction or alteration of a water supply system or sewage disposal system for a manufactured housing project? Drinking Water & Environmental Health Division (DWEHD), 517-284-6524

Yes  No

6) Does the project involve construction or alteration of any sewage collection or treatment facility? WRD, Part 41 Construction Permit Program (staff), 906-228-4527, or EGLE District Office

Yes  No

7) Public Swimming Pool Construction (Spas/Hot Tubs) Permits: Will your business involve the construction or modification of a public swimming pool, spa or hot tub? Public Swimming Pool Program, 517-284-6541, or EGLE District Office

Yes  No

8) Does the project involve the construction or modification of a campground? DWEHD, Campgrounds program, 517-284-6529

Yes  No

9) Does the project involve construction of a facility that landfills, transfers, or processes of any type of solid non-hazardous waste on-site, or places industrial residuals/sludge into or onto the ground? Materials Management Division (MMD), Solid Waste, 517-284-6588, or EGLE District Office

Yes  No

- 10) Does the project involve the construction of an on-site treatment, storage, or disposal facility for hazardous waste? MMD, Hazardous Waste Section, Treatment, Storage and Disposal, 517-284-6562

Yes  No

**Who Regulates My Drinking (Potable) Water Supply?**

- 11) I am buying water from my community water supply (i.e. city of Detroit or Grand Rapids), Contact Local Water Utility, 517-284-6512

Yes  No

- 12) I have a Non-Community Water Supply (Type II) Guide, Contact (District or County) Local Health Department, 517-485-0660

Yes  No

- 13) I am a community water supply (Type I) Community Water Supply, DWEHD District Office, Community Water Supply Program, 517-284-6512

Yes  No

- 14) Do you desire to develop a withdrawal of over 2,000,000 gallons of water per day from any source including groundwater, inland surface water, or the Great Lakes and their connecting waterways? WRD, Great Lakes Shorelands Unit, Water Use Program, 517-284-5563

Yes  No

**Who Regulates My Drinking (Potable) Water Supply?**

- 15) NPDES: Does the project involve the discharge of any type of wastewater to a storm sewer, drain, lake, stream, or other surface water? WRD, EGLE District Office, or National Pollutant Discharge Elimination (NPDES) Permit Program, 517-284-5568

Yes  No

- 16) Does the facility have industrial activity that comes into contact with storm water that enters a storm sewer, drain, lake, stream, or other surface water? WRD, Permits Section, or EGLE District Office, 517-284-5588

Yes  No

17) Does the project involve the discharge of wastewaters into or onto the ground (e.g. subsurface disposal or irrigation)? WRD, Groundwater Permits Program, 517-290-2570

Yes  No

18) Does the project involve the drilling or deepening of wells for waste disposal? Oil, Gas and Minerals Division (OGMD), 517-284-6841

Yes  No

### What Operational Permits are Relevant to My Operation and Air Emissions?

19) Renewable Operating Permit: Does your facility have the potential to emit any of the following: 100 tons per year or more of any criteria pollutant; 10 tons per year or more of any hazardous air pollutant; or 25 tons per year or more of any combination of hazardous air pollutants? AQD, Permit Section, 517-284-6634

Yes  No

20) Does your facility have an electric generating unit that sells electricity to the grid and burns a fossil fuel? AQD, Acid Rain Permit Program, 517-780-7843

Yes  No

### What Operational Permits are Relevant to My Waste Management?

21) Does the project involve landfilling, transferring, or processing of any type of solid non-hazardous waste on-site, or placing industrial residuals/sludge into or onto the ground? MMD, 517-284-6588 or EGLE District Office

Yes  No

22) Does the project involve the on-site treatment, storage, or disposal of hazardous waste? MMD, Hazardous and Liquid Waste, 517-284-6562

Yes  No

23) Does the project require a site identification number (EPA number) for regulated waste activities (used oil, liquid waste, hazardous waste, universal waste, PCBs)? (Hazardous Waste Program Forms & License Applications) MMD, EGLE District Office, 517-284-6562

Yes  No

24) Does the project involve the receipt, possession, manufacture, use, storage, transport, transfer, release, or disposal of radioactive material in any form? MMD, Radioactive Material and Standards Unit, 517-284-6581

Yes  No

25) Does the project involve decommissioning or decontamination of tanks, piping, and/or appurtenances that may have radioactive levels above background? MMD Radioactive Material and Standards Unit, 517-284-6581

Yes  No

26) Does the project involve the generation of medical waste or a facility that treats medical waste prior to its disposal? MMD, Medical Waste Regulatory Program, 517-284-6594

Yes  No

### What Sector-Specific Permits May be Relevant to My Business?

#### Transporters

27) Does the project involve the transport of some other facility's non-hazardous liquid waste? MMD, Transporter Program, 517-284-6562

Yes  No

28) Does the project involve the transport of hazardous waste? MMD, Transporter Program, 517-284-6562

Yes  No

29) Do you engage in the business of transporting bulk water for drinking or household purposes (except for your own household use)? DWEHD, Water Hauler Information, 517-284-6527

Yes  No

30) Does the project involve transport of septic tank, cesspool, or dry well contents or the discharge of septage or sewage sludge into or onto the ground? DWEHD, Septage Program, 517-284-6535

Yes  No

31) Do you store, haul, shred or process scrap tires? MMD, Scrap Tire Program, 517-284-6586

Yes  No

Sectors

- 32) Is the project a dry-cleaning establishment utilizing perchloroethylene or a flammable solvent in the cleaning process? AQD, Dry Cleaning Program, 517-284-6780

Yes  No

- 33) Does your laboratory test potable water as required for compliance and monitoring purposes of the Safe Drinking Water Act? Laboratory Services Certifications, 517-284-5424

Yes  No

- 34) Does the project involve the operation of a public swimming pool? DWEHD, Public Swimming Pool Program, 517-284-6529

Yes  No

- 35) Does the project involve the operation of a campground? DWEHD, Campgrounds program, 517-284-6529

Yes  No

**What Permits Do I Need to Add Chemicals to Lakes and Streams?**

- 36) Are you applying a chemical treatment for the purpose of aquatic nuisance control (pesticide/herbicide etc.) in a water body (i.e. lake, pond or river)? WRD, Aquatic Nuisance Control, 517-284-5593

Yes  No

- 37) Are you applying materials to a water body for a water resource management project (i.e. mosquito control treatments, dye testing, or fish reclamation projects)? WRD, Surface Water Assessment Section, 517-331-5228

Yes  No

**Why would I be subject to Oil, Gas and Mineral Permitting?**

- 38) Do you want to operate a central production facility (applies to oil and gas production facilities where products of diverse ownership are commingled)? OGMD, Petroleum Geology and Production Unit, 517-284-6826

Yes  No

39) Does the project involve the removal of sand from a sand dune area within two (2) miles of a Great Lakes shoreline? OGMD, Minerals and Mapping Unit, Sand Dune Mining Program, 517-284-6826

Yes  No

40) Does the project involve decommissioning or decontamination of tanks, piping, and/or appurtenances that may have radioactive levels above background? MMD, Radioactive Protection Programs, 517-284-6581

Yes  No

Petroleum and Mining, OGMD, 517-284-6826

41) Does the project involve the diversion and control of water for the mining and processing of low-grade iron ore?

Yes  No

42) Does the project involve the surface or open-pit mining of metallic mineral deposits?

Yes  No

43) Does the project involve the mining of nonferrous mineral deposits at the surface or in underground mines?

Yes  No

44) Does the project involve mining coal?

Yes  No

45) Does the project involve changing the status or plugging of a mineral well?

Yes  No

46) Does the project involve the drilling or deepening of wells for brine production, solution mining, storage, or as test wells?

Yes  No

Permits and Bonding, OGMD, 517-284-6841

47) Do you want to change the status of an oil or gas well (i.e. plug the well)?

Yes  No

48) Does the project involve drilling of oil, gas, brine disposal, secondary recovery, or hydrocarbon storage wells?

Yes  No

If you need further assistance, please fill out the information below and email the form to [EGLE-assist@Michigan.gov](mailto:EGLE-assist@Michigan.gov).

Completed by:

9/19/22 MJ

**Requestor Information**

First and Last Name: Matt Germane

Requestor Phone Number: \_\_\_\_\_

Requestor E-Mail: \_\_\_\_\_

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If you need this information in an alternate format, contact [EGLE-Accessibility@Michigan.gov](mailto:EGLE-Accessibility@Michigan.gov) or call 800-662-9278.

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This form and its contents are subject to the Freedom of Information Act and may be released to the public.





## Environmental Resources Group

28003 Center Oaks Court • Suite 106 • Wixom, MI • 48393  
Phone: 248-773-7986 • Fax: 248-924-3108

September 21, 2022

Mr. Rob Kehoe, Building Inspector  
Charter Township of Flushing  
Department of Building and Zoning  
6524 North Seymour Road  
Flushing, MI 48433

**RE: Michigan's Haunted Musical – Prop Safety  
7462 North McKinley Road, Flushing, MI  
ERG Project No. 9654**

Dear Mr. Kehoe:

Environmental Resources Group, LLC (ERG) was hired by Michigan's Haunted Musical (MHM) to prepare a Site Plan associated with their request for a Special Land Use permit from the Township's Planning Commission (PC). The PC held a public hearing on September 12, 2022 and the public expressed overwhelming support for this new business located in an RSA Residential Suburban Agriculture district. In a split decision, the PC approved the special land use permit, with time limits, for the 2022 seasonal attraction.

Additional information was provided by ERG on September 19, 2022 in response to concerns raised by ROWE Professional Services Company concerning deficiencies noted in their August 25, 2022 letter concerning the Site Plan.

The Township Clerk, Wendy Meinburg, notified ERG that a Township site inspection occurred on September 20th and that, as a result of that meeting, you requested a letter "to confirm that all structures are built to code and are safe for visitors to go near." This letter is intended to address your concerns.

Safety is a concern of MHM, too, as they want their sets or props to be safe not only for their customers but also for their employees. Employees will be closest to the props since all patrons will remain on the hayride wagons, which are designed and built specifically for safe human transport for each musical stop.

MHM choose to add sets at two of the hayride stops to enhance the entertainment value. These props consist of steel non-combustible cargo shipping containers, bolted to concrete foundations, with a wood façade constructed of used cargo pallets. Details regarding the concrete foundations for both structures included on ERG's Site Plan drawings, dated September 2022, and issued to Ms. Meinburg recently.



The Prop 2 structure includes a small wood frame addition at ground level. Both props are intended for aesthetics only and have no external doors or windows such that the opportunity for people (employees or guest) to enter them is impossible. Therefore, they will not be used for storage or habitation, have no permanent electric supply, heating, ventilation, and air conditioning (HVAC) systems, water systems, bathrooms, septic fields, or internal plumbing.

#### Building Permits

My review of the permit applications listed on the Charter Township of Flushing Department of Building and Zoning suggests that the structures regulated under the Township ordinance, i.e., those buildings requiring a building permit application and follow-up inspections during construction, are buildings intended for human occupancy. The list of regulated buildings includes:

- Assembly (theaters, churches, etc.),
- Commercial businesses,
- Educational,
- Manufacturing,
- High hazards (chemical treatment, etc.),
- Institutional (hospitals, etc.),
- Retail/mercantile,
- Residential,
- Storage, and
- Utility/miscellaneous.

It is ERG's opinion that the props or sets to be used for the MHM seasonal farm-related hayride do not meet the common definitions for any of the regulated buildings listed above, especially since all of the listed building types are built for full-time or occasional human occupancy. Our belief is that construction of the two proposed props do not qualify for the traditional non-residential commercial, mobile/permanent homes, or demolition activities regulated by the Township and so no permits are needed. Simply stated, MHM installed pre-manufactured steel structures mounted to an engineered concrete-foundations.

Further, it is ERG's opinion that the typical slew of building-related permits (electrical, fence, mechanical (i.e., HVAC), plumbing, pond, and solar panels) required for a human-occupied structures, do not apply to the props installed for the hayride for the reasons cited above. Therefore, the construction codes associated with these trades do not apply in this instance.

#### Construction Standards

As noted above, MHM considers the safety of their customers attending the hayride to be a matter of paramount importance. This mindset caused them, months ago, to hire a licensed professional structural engineer to design the concrete foundation and attachment details for Prop 2 (the one with the steel

Mr. Rob Kehoe  
Michigan's Haunted Musical – Prop Safety  
September 21, 2022  
Page 3



cargo container standing on end). The details on the concrete foundation, which was installed, is included in ERG's revised prints (dated September 2022).

Further, MHM hired a reputable concrete firm to build the foundations for both Props 1 and 2. The firm, R & B Contractors, of Flint, Michigan followed the design specifications for rebar installation, depth of excavation, concrete specifications, and attachment bolts to connect the steel structures themselves. Concrete was supplied by Modern Concrete. MHM has pictures and videos of the actual installation activities available for review by the Township, if desired. My professional engineering stamp on the revised as-built Site Plan drawings confirms the foundation work and steel cargo container attachments to the foundation was completed as designed.

For Prop 1 where the longer steel container is resting on the shorter one, it is my opinion as a professional engineer that both containers are adequately bolted together such that there is no danger to people standing nearby, whether MHM employees or trespassers. The overseas cargo containers are designed to be stacked on each other so their placement as such is not considered risky.

#### Conclusion

In conclusion, it is ERG's opinion that the prop foundations are satisfactory designed for the static weight, wind stress, and snow loads for the steel cargo containers attached to the foundations. Further, as no customers are planned to exit the wagons while on the hayride, even when parked temporarily for the short musical performances, the Props 1 and 2 as designed and constructed, pose no danger to them.

Therefore, it is my opinion, as a professional engineer, that these props do not meet the traditional Charter Township requirements for building permits but, nonetheless, the foundations were designed and built, and the props properly attached to the foundation such that they do not pose any risk to humans.

If you have any questions, please contact me at 810-449-9366.

Sincerely,

**ENVIRONMENTAL RESOURCES GROUP, LLC**

A handwritten signature in black ink that reads "Matthew J. Germane".

Matthew J. Germane, P.E.  
Senior Project Manager

MJG/mg

Cc: Michigan's Haunted Musical, Owner





September 22, 2022

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

RE: Second Site Plan Review – 7462 N McKinley Road

Dear Ms. Meinberg:

ROWE Professional Services Company is in receipt of a revised site plan for a haunted hayride located at 7462 N McKinley Road, along with a letter addressing the issues in the original review letter dated August 25, 2022. The subject parcel is zoned Residential Suburban Agricultural District (RSA).

ROWE has completed a review of the site plan against the issues identified in the previous letter. Items that have been addressed are indicated with ~~strikethrough text~~ and items that are outstanding are identified in **red text**. 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 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 drawn 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 foot scale.~~ **Addressed. See Sheet 5.**
- **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. **Not addressed. The response letter indicates that the spaces are drawn to scale, but dimensions of parking spaces should be shown on the plan. Based on the scale, it appears that the parking spaces are not 20 feet deep per township requirements or 10 feet wide (assuming the site plan document is intended to be 22x34 inches.)**
- ~~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. **Addressed.**

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

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- ~~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. **Addressed.**
- **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. **Partially addressed. The location of a primary sign for the site is indicated in the site plan response letter, but the location of other signs is not shown. Additional signs are assumed to be traffic control signs interior to the property, which are not regulated by the townships sign article.**
- **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. **Partially addressed. Lights are indicated for a few parking aisles, but not all parking aisles. There is an indication of other "solar lighting" in the response letter, but the location and intensity of lighting is not shown on the site plan.**
- **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 1-foot intervals per subsection v. **Partially addressed. Applicant provided a topographic map with 2-foot intervals.**
- ~~Sec. 20-1902(t) Submission of the "State/County Environmental Permits Checklist".~~ A State/County Environmental Permit was not submitted with the application. **Addressed.**

### 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. **Partially addressed. Structures are permanent, but no information regarding setbacks was provided on the site plan. The response letter indicates the structures are "hundreds of feet" from property lines.**
- ~~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. **Addressed. Response letter indicates that a clear vision zone has been established by removing trees within 495 feet in both directions of the driveway.**
- ~~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. **Addressed.**
- ~~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. **Addressed. "Fence" on site plan is intended to be a temporary pedestrian barrier per the response letter.**
- ~~Sec. 20-409 Incinerators and Outside Trash Containers.~~ No indication of outdoor trash containers, applicant to confirm any outdoor trash receptacles. **Addressed. See response letter.**

- **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. **Partially addressed. The response letter indicates that noise from props and performances will be directed toward the interior of the property, but this is not indicated clearly on the site plan.**
- ~~**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. **Addressed. Side and rear setbacks are not shown, but they appear to be greater than the 210 feet front setback shown on the revised plan.**
- **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, and 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. **Partially addressed. The dimensions of the parking spaces and maneuvering lanes are not clear (see Section 20-1902(d) above.) Applicant provided a clear description of the required parking, indicating the maximum number of "seats" available on site is 480. At a requirement of one space per three seats, 160 parking spaces are required. The site plan indicates 186 parking spaces.**
- ~~**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. **Addressed.**
- ~~**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. **Addressed via planning commission approval of special use permit.**

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. **Addressed via planning commission approval of special land use permit.**

Ms. Wendy Meinberg  
September 22, 2022  
Page 4

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](mailto:jball@rowepsc.com) or (810) 341-7500.

Sincerely,  
ROWE Professional Services Company

**Jason Ball**  
Digitally signed by Jason  
Ball  
Date: 2022.09.22  
14:03:37 -04'00'

Jason Ball, AICP  
Senior Planner

CC: Flushing Township Planning Commission

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