

# CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

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## ***PLANNING COMMISSION MEETING MINUTES***

DATE: MAY 12, 2014

TIME: 7:00 P.M.

WEB ADDRESS <http://flushingtowship.com>

### **MEMBERS OF PLANNING COMMISSION**

Chair: Jerome Doyle

Aaron Bowron

Vice Chair: Robert Gensheimer

Donn Hinds

Secretary: Ronald Flowers

Mark Newman

Board of Trustee Representative: Shirley D. Gage

Recording Secretary: Julia A. Morford

**PRESENT:** Jerome Doyle, Ronald Flowers, Shirley Gage, and Donn Hinds

**ABSENT:** Robert Gensheimer, Aaron Bowron, and Mark Newman

**OTHERS PRESENT:** Ten (10) other individuals

**I. MEETING CALLED TO ORDER** at 7:00 p.m. by Planning Commission Chair  
**JEROME DOYLE** with Roll Call and the Pledge to the American Flag.

**II. ADOPTION OF AGENDA: FLOWERS MOVED**, seconded by Hinds to approve the  
Agenda as presented. MOTION CARRIED.

### **III. APPROVAL OF PREVIOUS MINUTES:**

**a. March 10, 2014: GAGE MOVED**, seconded by Flowers to approve the March 10,  
2014 Planning Commission Minutes as amended with the two (2) adjustments.  
MOTION CARRIED.

**b. April 14, 2014:** Postponed due to the back page of the minutes was not included in  
the Planning Commission Packets.

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### **UNFINISHED BUSINESS:**

1. **Continued Review of Sign Ordinance**

At the next Planning Commission Meeting, Sign Ordinances Article 7.17 and Article 6  
will be reviewed.

**FLOWERS MOVED**, seconded by Hinds to place "Unfinished Business" at the end of the  
Agenda in order to dedicate more time to the issue. MOTION CARRIED.

**UNFINISHED BUSINESS MOVED TO NUMBER VI. AFTER PUBLIC COMMENTS.**

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### **IV. NEW BUSINESS:**

1. **Rose Fowler, 8474 W. Mt. Morris Road, Flushing MI 48433**

Formal Hearing – Changing of a Site Plan in C-2 Zoning District to Place an Accessory Structure in the Back Yard at 8474 W. Mt. Morris Road, Flushing MI 48433, Parcel No. 08-02-300-010.

Ms. Rose Fowler, and her family, of 8475 W. Mt. Morris Road, Flushing MI 48433 were present to obtain approval to place an Accessory Structure in the back yard of her business, which is a Deli and a Resale Shop. The business is located in a C-2 Zoning District. The proposed structure will be used for storage of the merchandise for the Resale Shop and, in the future, will be used as a wood shop to construct custom furniture.

**COMMENTS/QUESTIONS FROM THE PLANNING COMMISSION:**

1. **DOYLE:** will electricity be placed in the accessory structure? **ANSWER:** Yes, as soon as possible.
2. **DOYLE:** will there be a need for plumbing, etc? **ANSWER:** No.
3. **HINDS:** reviewed the property where the proposed accessory structure will be located; everything, including setbacks, is fine. It is imperative there be good drainage on the property so the neighbors will not be adversely affected. **ANSWER:** If there should be any problems with water, a catch basin will be installed to run the water to the ditch.
4. **DOYLE:** if the drainage is correct in front of the business, the catch basin will not be necessary.
5. **HINDS:** in November 2013, the Planning Commission approved a smokehouse in the back of the Deli/Resale Shop and it looks very nice. Also additional drainage was placed in the parking lot in front of the main business, which was not demanded by the Planning Commission. The family is taking great pride in the business!
6. **DOYLE:** will the proposed pole barn be located in the area where the septic system was located? **ANSWER:** it is located to the left of the septic system. **DOYLE:** there use to be a septic tank within ten (10') feet of the existing building followed by the septic field. **ANSWER:** the field is no longer being used because the business has converted to city water/sewer. **DOYLE:** in a situation where there is a septic field that fills up or for some reason there is a use of the septic tank and the field, the septic tank needs to be pumped and filled with sand so that it can't be used for anything else. Ms. Fowler does not have to remove the field as long as it is inactive. Ms. Fowler may run into a problem with the south footings of the proposed accessory structure because they could possibly be located in the septic area; if the footings are located in the septic area, it will not make any difference because the ground will be solid.

**PROPOSED ACCESSORY STRUCTURE FEATURES:**

1. Wood structure
2. Steel sheeting
3. 2' x 6' pearling
4. Wood trusses
5. 2' Center so that it will hold anything

6. 40' x 80' building
7. Approximately 20' tall from the floor to the peak of the roof
8. If there are any septic lines that go to the Accessory Structure, make sure the footings are in solid ground. (Septic lines are usually 18" deep so be below that number for solid ground).
9. There will be a 4" thick concrete slab flooring
10. The drive to the barn will continue from the existing drive with access on the right side of the business forming an "L" shape and going into the proposed pole barn.
11. There will be one (1) large garage door and one (1) service door on the same side of the structure.
12. The accessory structure will be 70' away from the existing building; 80' away from the back property line; 71' from one side of the existing building and 68' on the other side of the existing building.
13. For C-2 specifications, the lot width requirement is 150'; the existing property is 170' wide
14. The side and back setbacks are over 50' so that is fine and within the ordinance. The proposed structure will be 20' tall which is also within the ordinance.
15. For the time being, there will not be heat in the accessory structure but will be heated in the future.
16. A new electric service is planned for the proposed accessory structure; the gas line for the existing building may not be sufficient for both the existing building and the proposed accessory structure.
17. Currently the property has sewer and water.
18. If the lot is graded properly, the water will drain from the building toward the East and West and then to the back of the property in order to prevent the water from settling at the existing building and to prevent an enormous amount of water going onto the neighbor's property.
19. There are no wetlands on the property.

**HINDS MOVED**, seconded by Gage to approve the request for the accessory building at 8474 W. Mt. Morris Road, Flushing MI 48433, with the items that were discussed as a matter of record. **MOTION CARRIED.**

**2. Flushing Community Schools, 525 Coutant Street, Flushing MI 48433**

Formal Hearing – Special Use Permit to replace an existing sign with an electronic sign on the existing pole at Seymour Elementary School, 3880 N. Seymour Road, Flushing MI 48433, Parcel No. 08-34-400-003.

Mr. Darren Vaughn, Maintenance Supervisor for Flushing Community Schools, was present to request a Special Use Permit to replace an existing sign with an electronic sign. Currently, there is a changeable letter sign, which is approximately 8' wide x 6' high; the School has requested to replace with a digital sign that is 6' wide x 3' high. The digital portion will be 15" according to the drawing by Crannie Signs. The wording on the sign will be similar to the Flushing High School sign where school functions are advertised.

**FEATURES OF THE PROPOSED ELECTRONIC SIGN:**

1. The sign cannot change faster than 10 seconds.
2. The sign will be a dimmable sign so that when darkness comes the sign will dim and will eventually shut off in the evenings; hopefully the same thing applies for the weekends.
3. The brightness of the sign cannot be too bright and the sign cannot change too fast.
4. The *Electronic Sign Ordinance* has to be followed.
5. The permit is good for 12 months.

**CORRESPONDENCE:**

1. **Ms. Katheryn Hill, 3101 N. Seymour Road, Flushing MI** – “owns property at 3101 N. Seymour Road, Flushing MI; her driveway is directly across the road from the Seymour Elementary School sign; has no objections to having the electronic sign replace the existing sign.”

**FLOWERS MOVED**, seconded by Hinds to approve the Special Use Permit for the electronic sign for the Seymour Elementary School. MOTION CARRIED.

The correct address for the Flushing Community Schools is N. McKinley Road, Flushing MI 48433.

**3. Informal Discussion Regarding a Greenhouse Request**

Sherry Overfield and Shirley VonShetta would like to purchase property in Flushing Township and present “Future Farming” to the community. Ms. Overfield, who recently graduated from the University of Texas at Arlington, presented the Planning Commission with a feasibility study showing conservation farming. Ms. Overfield and Ms. Von Shetta would produce vegetables and fruits without importing from foreign countries. The proposed plan will be to start out with lettuce and herbs.

**FEATURES OF THE PROPOSED PROPERTY:**

1. Property is located on Ruby Drive, Flushing MI.
2. Would like to have a windmill on the proposed property in order to help with the electricity costs.
3. Would like to have a pole barn.

**QUESTIONS/COMMENTS FROM THE PLANNING COMMISSION:**

1. **FLOWERS:** how many acres would be needed to farm? ANSWER: five (5) acres would be great. **FLOWERS:** for any type of farming, the ordinance calls for ten (10) acres.
2. **FLOWERS:** will there be a residence on the proposed property? ANSWER: Yes, eventually she would live on the farm. The process will be similar to any other farming but will be grown in a greenhouse and then sold to retail businesses.

3. **DOYLE:** the proposed property is zoned RSA, which is farms and single family homes. When there is a farm, it is still RSA zoning; the produce from the farm is in compliance and can be done because it is grown on one's own property.
4. **DOYLE:** the proposed property, around a lake, consists of large parcels, which can be as large as ten (10) acre per parcel. Ms. Overfield needs to find out the exact layout of the subdivision and to the size of the parcels. If the property is going to be used as a regular farm, which is pretty close, it would be a reasonable thing to request. It is possible to build on the property before a residence is constructed but setbacks have to be followed due to the property being divided and there being neighbors.
5. **GAGE:** on the documents presented to the Planning Commission, it states that Ms. Overfield is interested in purchasing thirteen (13) acres so will that be enough land for a farm? **ANSWER:** Ms. Overfield stated that she only needed ten (10) acres.
6. **DOYLE:** one must have ten (10) acres to be considered a farm; if Ms. Overfield requested five (5) acres, that would be another issue and would have to be reviewed to make sure that it would be acceptable per the ordinance.
7. **DOYLE:** inquired as to whether there would be another pole barn constructed to grow the produce. **ANSWER:** all the produce would be grown in a particular type of pole barn. The proposed property already has an existing pole barn which would be used for storage. **DOYLE:** there can be a residence and a pole barn on an acre but it depends upon the size of the pole barn. In the particular case, there will not be open fields but a structure where produce will be grown.
8. **HINDS:** this is not like a regular farm where one is farming on his own property where he lives, but also leases or buys land in different parts of the County to farm where he can also have buildings located on the property; as long as the requirements for the setbacks and the acreage are fulfilled, felt the issue would be appropriate. Inquired about the process of the farming chemicals:
  - a. What happens to the (used) water from the hydroponic process? **ANSWER:** the water is safe and Ms. Overfield's can use the water in her own yard.
  - b. How much (used) water will there be? **ANSWER:** it is a fifty-two (52) gallon tank (water conservation) that recycles; the reservoir is cleaned out every two (2) weeks.
9. **DOYLE:** how will the windmill be used? **ANSWER:** the windmill will be used for power. **DOYLE:** what type of windmill did Ms. Overfield have in mind? **ANSWER:** she has looked into the Birdie Windmills. **DOYLE:** the Township also has an ordinance on windmills and would have to be followed for the particular type of windmill. There are other examples of windmills that sit on the top of one's house or the top of a building. The windmills are very efficient and do not have the large blades and does not have the light fractions. The Planning Commission has had inquiries into a windmill that is similar to the "old fans" that use to be around years ago that sit on the top of houses and cooled the attics, but in this case would create electricity. There have been problems with the 80' to 100' tall type of windmills due to the light fractions and the noise from the blades.

10. **HINDS:** has Ms. Overfield contacted other companies about the produce?  
ANSWER: Ms. Overfield has spoken with Gordon Foods and they were very positive about the process. People should be able to eat healthy foods year round without the high cost to obtain the produce. The concept has been around for decades.
11. **GAGE:** years ago she saw an advertisement at the Flint Farmer's Market promoting the concept which was her first introduction to the idea. ANSWER: the particular type of farming is becoming more and more popular.
12. **HINDS:** it is great to be able to produce fruits/vegetables year round. ANSWER: having fresh produce all year round is how Ms. Overfield was introduced to the concept.
13. **DOYLE:** will the windmill be used for the power for the lights, etc in the pole barn?  
ANSWER: Yes. **DOYLE:** will the water that will be used come from a well?  
ANSWER: Yes.
14. **DOYLE:** the request could be considered as a "Greenhouse" not necessarily as a farm.
15. **HINDS:** if the request was considered a "Greenhouse" would it require commercial zoning as opposed to agriculture? **DOYLE:** in the past for local "greenhouses," such as a flower shop that was located on Seymour Road, a Special Use Permit was allowed and it was not changed to Commercial .
16. **FLOWERS:** there is a fine line as to whether Ms.Overfield can sell the produce which is being produced on the property but not on the property itself; it is similar to a truck farming business but not as large; the produce will be grown on the property and then trucked away from the property.
17. **HINDS:** would that be similar to other farmers who sell their merchandise and then ship the produce to other areas? **FLOWERS:** it is different from what is considered a farm; that is why he mentioned that Ms. Overfield had to have ten (10) acres to be considered in the "farm category" instead of the "commercial category." The Commercial would be different.
18. **DOYLE:** if a farmer grows sweet corn, tomatoes, etc on their property, they can grow enough to sell to outside interests instead of just a stand by the road.

**FEATURES OF THE PROPOSED ACCESSORY STRUCTURE:**

1. Galvanized posts will be used for the structure.
2. There will a roof and sides.
3. The temperature and moisture in the structure will be computer controlled.
4. There are two (2) different size structures available: a 30' x 96' or a 30' x 132'.

**MISCELLANEOUS SUGGESTIONS/IDEAS:**

1. The Planning Commission has the authority in the ordinance to accept all requests for some type of use on property in the Township. When requests are brought before the Planning Commission, the Planning Commission has the right to review and consider that it is similar to something else that is in use which the Planning Commission has the right to review and accept.

2. There isn't much difference from a regular farm other than the farming is done inside a pole barn. Looks like a very good deal!
3. There will have to be a separate approval for the windmill or in conjunction with, due to the Township having a separate ordinance for the windmill.
4. The property for consideration is located on the South side of Ruby Drive, before the pond. Ms. Overfield has made attempts to contact the neighbors; good idea to get the neighbors involved in the matter.
5. The lights from the pole barn will be on timers.
6. Ms. Overfield hopes to create jobs from the venture.
7. When Ms. Overfield comes back before the Planning Commission, a Site Plan will be needed in order to know exactly what is being requested, the location of the buildings on the property, etc. Even if the request is for a residential home, a site plan is requested because there has to be certain distances from the property line, roads, power, etc. Ms. Overfield is considering a future residence, pole barn, and actual buildings. A Site Plan will also be needed for the Windmill.
8. Often times, Realtors can place in the Purchase Agreement, "subject to approval by the Planning Commission" or the "sale of".

**V. 8:02 P.M. → OPEN FOR PUBLIC COMMENTS**

None

**8:04 P.M. – CLOSED FOR PUBLIC COMMENTS**

**VI. UNFINISHED BUSINESS:**

**1. Continued Review of Sign Ordinance**

At the next Planning Commission Meeting, Sign Ordinances Article 7.17 and Article 6 will be reviewed.

It was recommended to check with Mr. Piggott to see what he would charge to come to a Commission Meeting and review the sign ordinance with the Commission or what he would charge to update the sign ordinance so that it would follow the State Ordinance. Ms. Gage will review the budget with the Finance Director to see if extra meetings could be held. It was also recommended to check and see which municipality recently updated their Sign Ordinance and covers the different aspects. The information will be brought back to the next Planning Commission Meeting.

**VII. BOARD COMMENTS:**

1. **FLOWERS:** the recent *Zoning Workshop* which he attended that was sponsored by Rowe Professional Services, was great; a lot of information was presented by Mr.Piggott.

**VIII. MEETING SCHEDULE: NEXT REGULAR SCHEDULED MEETING WILL BE HELD ON MONDAY, JUNE 9, 2014 AT 7:00 P.M.**

**IX. ADJOURNMENT:** Due to lack of business matters, **DOYLE** adjourned the meeting at 8:30 p.m.

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JEROME DOYLE, Chair

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JULIA A. MORFORD, Recording Secretary

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RONALD FLOWERS, Secretary

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Date of Approval

05/12/2014 Plann Min