

MINUTES OF Planning Commission Meeting

HELD September 11, 2019

20

Metamora

Sue Clark

Township of

Clerk

Form M-1-PT

The Riegle Press, Inc., Flint, Michigan

Chairman Nash called the Metamora Township Planning Commission regular meeting to order at 7:00 p.m. at the Metamora Township Hall, 730 W. Dryden Road, Metamora, Michigan, with the Pledge of Allegiance. There was a moment of silence in honor of 9/11 victims.

Members Present: George Nash, Phil Bellinger, Ann Derderian, Dan Miller, Lance Gould, Chris Chouinard and Kevin Knisely

Members Absent: None

Also Present: Township Planner Doug Piggott, Township Attorneys Gerald Fisher and Michael Nolan, and those persons listed on the attached Sign In Sheets

Approval of Agenda

033-19

Motion by Member Derderian, support by Member Knisely, to approve the agenda as presented. All ayes, no absent. **Motion carried.**

Approval of Minutes

034-19

Motion by Member Derderian, support by Member Miller, to approve the minutes of the August 14, 2019 regular meeting and public hearing and the August 21, 2019 special meeting. All ayes, no absent. **Motion carried.**

Public Comments (on items not on the Agenda)

Chairman Nash asked if anyone had any comments on items not on the agenda and there were none.

New Business:

A. Application of American Aggregates of Michigan for Phase I review under Zoning Ordinance Section 1203A, Three Factor Preliminary Administrative Determination: Discussion of Zoning Ordinance requirements and consider setting public hearing.

Attorney Gerald Fisher stated this is the beginning of proceedings under Article 12A of the Zoning Ordinance when a property owner seeks zoning approval for mining. He stated tonight's meeting is a preliminary discussion session as this is a complicated section in the ordinance. Mr. Fisher described the process in detail referring to the zoning ordinance and state law. Mr. Fisher also reviewed portions of a September 5, 2019 Memo from himself and Attorney Nolan to the Planning Commission and Township Board as a guide for the initial phase of review. Mr. Fisher then took questions from the Board. There was discussion on setting a public hearing.

035-19

Motion by Member Derderian, support by Member Knisely, to set a public hearing for October 9, 2019 at 7:00 p.m. on the Application of American Aggregates of Michigan for Phase I review under Zoning Ordinance Section 1203A, and that the public hearing will be held at the Metamora Lions Hall if available. All ayes, no absent. **Motion carried.**

Unfinished Business:**A. Inside Out Storage Special Land Use.**

Chairman Nash announced the next item on the agenda is the Inside Out Storage special land use application. At last month's meeting a public hearing was held on the application of Inside Out Storage for special land use approval for a mini storage facility on property located at 3690 S. Lapeer Road just south of the mobile home park. At that meeting the Board tabled any decision to give the applicants time to provide missing information. Planner Piggott then distributed his September 10, 2019 Memo to the Board which enumerated the missing items discussed last month and those items that have now been provided. Mr. Piggott stated the applicant has a set of 24 by 36 revised site plans available tonight in addition to the smaller scale plans the Board already received. Mr. Piggott then went through in detail his memo and referred to the large scale site drawing on display at this meeting. Mr. Piggott concluded that the applicants have addressed most of the issues identified last month. Mr. Piggott took questions of the Board. Member Bellinger addressed the dumpster and screening issue stating there is a need for screening of cast off large appliances when renters move out and there was discussion. Member Derderian brought up the issue of water retention and it was discussed. Member Knisely asked for clarification of chain link or wood fencing.

036-19

Motion by Member Miller, support by Member Derderian, to approve the special and use permit of Inside Out Storage LLC with the following conditions: 1) that prior to the issuance of a building permit the applicant provide documentation from the Lapeer County Road Commission and the Michigan Department of Transportation that their requirements have been met and are satisfactory, and 2) that the applicant provide documentation from the Lapeer County Drain Commission of their approval of the water retention on the site.

ROLL CALL VOTE:

Ayes: Miller, Chouinard, Derderian, Bellinger, Knisely, Gould, Nash

Nays: None

Abstain: None

Absent: None

Motion carried.

037-19

Motion by Member Miller, support by Member Knisely, to approve the site plan as presented for Inside Out Storage LLC located at 3690 S. Lapeer Road.

ROLL CALL VOTE:

Ayes: Miller, Chouinard, Derderian, Bellinger, Knisely, Gould, Nash

Nays: None

Abstain: None

Absent: None

Motion carried.

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B. Mount Christie Open Space Amendment.

Chairman Nash then moved to Item B under Unfinished Business and Planner Piggott recapped the history of the Mount Christie property. The current owners, Brian and Mary Miller, have made application to the Planning Commission to consider an amendment to the approved Mount Christie site plan to allow a portion of the open space including the former stable and clubhouse to be used as a commercial for-profit event venue. There was a question at the last meeting as to whether the Planning Commission has the authority to determine whether the proposed use is similar to other features or uses for open space in the ordinance. That question was posed to Township Attorney Nolan who stated he reviewed the old ordinance and the new ordinance and concluded that the Planning Commission does have that authority.

Chairman Nash stated for the record that he received two letters in opposition to this proposal. One dated 8-31-19 from William & Patricia Schulte of 1407 W. Davison Lake Road, and one dated 9-5-19 from William & Lorraine Mazzetti of 1655 W. Davison Lake Road. Mr. Nash asked if anyone in the audience had any comment on the issue. Jim Porritt then stated he is an attorney in Lake Orion representing the Mt. Christie Equestrian Community Association and passed out to the Board a letter dated 9-11-19 objecting to the proposal. Pat Schulte who submitted a letter to the Board also spoke in opposition to the commercial proposal. Bob Hill stated he is opposed to the proposal citing public safety issues. Brian Louder (Sp?) spoke in opposition of the request stating it would take away the beautification. Anne Irvin of 1677 Meadowlands Court said the proposal would take away the quiet serene area and is opposed. Mike Smiler of 1524 W. Davison Lake Road stated his concern about the traffic, noise from partygoers, and safety and is opposed to the commercial use. Don Pietrowski of 1580 W. Davison Lake Road is opposed stating noise and traffic and safety for horse riders on the road. Lisa Pietrowski of 1580 W. Davison Lake Road stated her opposition and concern about her horses being close to the subject property. Jamie Pietrowski stated she is the daughter of Don and Lisa and stated her concern of her house being right next to the subject property and having noise and people so close. David Asay of 1780 Arlington Drive spoke in opposition to the proposal. Christie Smiler of 1524 W. Davison Lake Road spoke in opposition to the proposal stating safety concerns about riding her horse on Davison Lake Road. Karen Briggeman (Sp?) stated she lives across the road from Mt. Christie and is opposed to the proposal because of noise and road conditions. Matt Schul spoke in opposition to commercial use and concerns of trespassing. Cynthia Schul spoke in opposing to the proposal citing concerns of depreciating property values. Brian Miller, the applicant, stated he and his wife made vast improvements to this property and maintained it and would answer any questions anyone had. Jon Gamalsky of 2012 W. Davison Lake Road spoke in opposition to the proposal. Steve Mandley who is one of the proposed purchasers of the subject property then spoke in detail addressing many of the concerns stated at this meeting. Brief discussion.

038-19

Motion by Member Miller, support by Member Derderian, to make a determination that commercial outdoor events do not fit into the open space requirement of the Zoning Ordinance.

There was then Board discussion. Member Bellinger stated the traffic on the road was a main concern citing speed, dust control, and also the noise of a commercial venue. Member Miller thanked the members in the audience for coming and encouraged their attendance at future

meetings. Member Miller then stated he appreciated the Millers' desire to sell their property but believes the intent of our ordinance is to keep residential property residential and commercial property commercial. Member Derderian stated she agrees with the issues commented on, citing the noise and traffic concerns and the commercial aspect. Chairman Nash concurred. Member Knisely concurred and pointed out numerous opposition from neighbors.

Chairman Nash then called for a roll call vote of those Board Members in support of Member Miller's motion.

ROLL CALL VOTE:

Ayes: Miller, Chouinard, Derderian, Bellinger, Knisely, Gould, Nash

Nays: None

Abstain: None

Absent: None

Motion carried.

039-19

Motion by Member Derderian, support by Member Bellinger, to postpone Items C and D under Unfinished Business until the next meeting. All ayes, no absent. **Motion carried.**

Communications and/or Committee Report

Nothing at this time.

Matters for Discussion from the Commission Members

Nothing at this time.

Township Planners Report - Doug Piggott/ROWE Professional Services

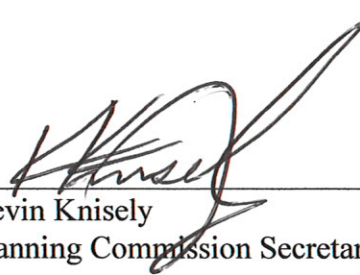
Nothing further.

040-19

At 9:14 p.m., a Motion was made by Member Derderian, support by Member Bellinger, to adjourn. **Motion carried**, all voting aye.

Respectfully submitted,
Darlene Wise, Recording Secretary

cc: All Board Members
Persons requesting same


Kevin Knisely
Planning Commission Secretary

Metamora Township Planning Commission

Sign In Sheet

Please Print

Date:

9/11/19

Name	Company	Address
Kim CARLSON	FSE	5370 MILLER RD, S.C. 48473
IAN MCNULTY	LEVY	
DICK ZANOTTI	LEVY	
CAROL ROGUS	-	2360 DAVISON LK Oxford
SCOTT ROGUS		2204 DAVISON LK RD Oxford
SUSAN WOOD		
John Knoche		
KEN HARPER		1958 W. DAVISON LAKE RD
BRETT ROGERS		114 W MAIN ST Vernon mi
Steven Mander		" "
Christy Smiler		1524 W. Davison lake
Michael Smiler		" " "
LISA PIETROWSKI		1580 W. Davison Lake
DON PIETROWSKI		" " "
JAIMIE PIETROWSKI		" " "
JANAY VARIATION		5783 BARKW
TOMY DE MARTINIS		53809 CRANSTON DR MACOMB 48042
Sharon DeMartini		53809 Cranston Dr Macomb
Anne Invin		1677 Meadowlands Ct 48042
Jeremy Invin		1677 Meadowlands Ct

Metamora Township Planning Commission

Sign In Sheet

Page 2

Please Print

Date: 9/11/19

Name	Company	Address
M. McGuire		1799 Meadowlands
C. McGuire		" " Ct.
D. Vilona		
J. Sawyer	Levy	
P. Robinson		2624 E Sutton
B. Robinson		" " "
P. Schulte		1407 W Davison Lk Rd STE
Bill Schulte		1407 W. Davison Lk
Lynnda Chartrand		5933 Saratoga Dr.
Linda Hiel		5830 Saratoga Dr.
DAVID ASAY		1780 Arlington Dr
IAN SHAFER		1447 W DAVISON LK
MARK FRANK		4133 BARBER RD
Victor Dzembowicz		WHITE HALL INN
LINA ELLUM		" "
PATRICK BERGER		SPYDEN
Heather Shaffer		696 Glenmoor - Oxford
Mike Shaffer		"
NICOLE RICCINTO		1220 W. Davison Lake Rd.
JON & VALERIE GAMALSKI		2012 W. DAVISON LK RD

11/10/11

Page 5

[Faint, illegible text covering the majority of the page, likely bleed-through from the reverse side.]

Metamora Township Planning Commission

Sign In Sheet

Page 3

Please Print

Date:

9/11/19

Name	Company	Address
Jim Borritt	Borritt Law Firm	436 S Broadway
Schul	Mt Christie	St C, L.O.
Heir	Mt Christie	56305 Amity Dr
Don TOPOFSKY	Mt Christie	1645 Meadowlow Lane
Robert Chazinski	ll ll	ll ll St.
Harmon Braun	Mt Christie	
Alan B.	Better Willows	9-11-19

17/1/71

NOTES ON THE HISTORY OF THE
CITY OF LONDON

Page 1

The history of the City of London is a long and varied one, extending over more than two thousand years. The city was founded by the Romans, who called it Londinium. It was one of the most important cities in the Roman Empire, and it remained so for many centuries. The city was destroyed by the Saxons in the fifth century, but it was rebuilt and became one of the most important cities in the world. The city was the centre of the British Empire, and it was the seat of the British government. The city was the home of the British monarchy, and it was the centre of the British culture. The city was the home of the British people, and it was the centre of the British life. The city was the heart of the British nation, and it was the soul of the British people.

METAMORA TOWNSHIP
PLANNING COMMISSION AGENDA
OCTOBER 9, 2019 7:00 PM
METAMORA TOWNSHIP HALL

Pledge of Allegiance

Roll Call

Approval of Agenda

Approval of Minutes – September 11, 2019

Public Comments (on items not scheduled on this agenda)

New Business:

A.

Unfinished Business:

A. Inside Out Storage Special Land Use Permit

B. Master Plan Amendments

C. Composting Ordinance

Communications and / or committee report

Matters for discussion from the commission members

Township Planners Report – Doug Piggott-ROWE Professional Services Company

Adjournment

Settlement of 1840

Settlement of 1840

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Settlement of 1840



PORRITT LAW FIRM
JAMES R. PORRITT, Jr.
Attorney at Law
436 S. Broadway, Suite C
Lake Orion, Michigan 48362
(248) 693-6245
(248) 693-5850 Fax

September 11, 2019

METAMORA TOWNSHIP PLANNING COMMISSION
730 W. Dryden Road
Metamora, MI 48455

Re: Mount Christie 'Open Space Amendment' 029-19

Dear Commissioners,

I represent the Mr. Christie Equestrian Community Association. I have been asked to attend tonight's meeting to give voice to the homeowners' objection to the proposal, as they understand it, to allow commercial for-profit use of the Equestrian property an event venue. I say '*as they understand it*' because until today, no copy of the application had been made available. In fact, both the association and I were told as late as this morning that no formal application had been presented.

Mr. Doug Piggot was kind enough to furnish a copy to me today. As I understand the application, it was a request to "*amend (sic) open space designation to allow for specific outdoor activities in the open space property.*" The description under present use is "*Open space preservation option with home and general events.*"

So far, the history of the subject property is unclear in terms of whether it ever was or remains technically designated as 'open space.' If it was, it appears to have been permanently designated in the documents provided to persons who purchased units in the development. If it

somehow lost that designation, so far, we have not seen that documentation.

I reviewed the Minutes of your meeting of August 14 when one of the proponents is quoted;

"Mr. Mandley stated the proposed uses would be for retreats, community gatherings, reunions and weddings and would be primarily outdoor and recreational in nature."

I note that your Zoning Ordinance does allow for "Commercial Outdoor Recreation." Under Section 1415 such uses are limited to B-2 General Business Districts. There is no description under A-1 (Sec 401) Principal Permitted Uses nor (Sec 402) Special Land Uses which would allow such an enterprise in the A-1 District. Under the Zoning Ordinance governing Agricultural Districts A-1 and A-2, there is provision to allow similar uses. However, in that provision (Sec 402.AA), the similar uses are those similar only to the 'principal permitted uses.' It does not allow someone to claim a special use as being similar to any of the Special Land Uses. At least to this date, no one has identified any of the principal permitted uses to which they claim a similarity.

From my review of the limited documents I have seen, I have concluded that this property was never given an approval for a special land use. In order to gain such a use, an application would have to be filed and the proceedings subject to notifications and public hearings. That simply has not been done.

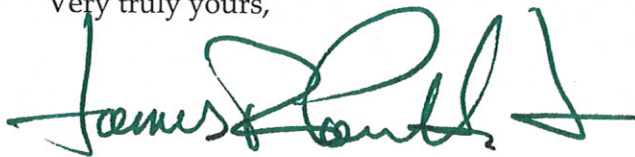
Attached to this letter is a copy of an email received from the original developer. It denies that there was ever contemplated the kind of commercial 'for-profit' use proposed. As to any similarity to past uses of the property, I would say that any previous events were apparently promotional for the development and not done on a 'for-profit' basis.

It should be evident that a new commercial use would necessarily involve increased traffic, increased noise and increased odors. All are inconsistent with your ordinance and with

the existing residential use. In short, this request should simply be denied.

Thanking you for your attention, I remain,

Very truly yours,

A handwritten signature in green ink, appearing to read "James R. Porritt, Jr.", with a stylized flourish at the end.

James R. Porritt, Jr.

From: Matthew Schul <matthew.schul@charter.net>

To: jrporritt <jrporritt@aol.com>

Cc: Docfoot65 <Docfoot65@msn.com>

Subject: Fwd: Mount Christie

Date: Wed, Sep 11, 2019 3:05 pm

Jim,

Please see response from Ron Lamparter below who was the original developer and also owns 9 lots within MT. Christie Estates.

Thank you,
Matt

Sent from my iPhone

Begin forwarded message:

From: Ann Williams <ann.williams@dc3s.com>

Date: September 11, 2019 at 2:36:44 PM EDT

To: Matthew Schul <matthew.schul@charter.net>

Subject: FW: Mount Christie

Matt,

Please see Ron's response below... hope this helps explain!

From: Ron Lamparter <ron.lamparter@dc3s.com>

Sent: Wednesday, September 11, 2019 2:31 PM

To: Ann Williams <ann.williams@dc3s.com>

Subject: Mount Christie

Ann (Williams),

I am in out-of-town meetings and unable to use my phone for conversation, but can provide this response, which I request that you forward to Ann and Matt Schul and Brian Loder, duly elected Board Members for the Mount Christie Estates Property Owners' Association ... for them to use in any manner they deem appropriate.

Despite having turned all responsibility for 'management' of the Mount Christie Property over to a Board of Directors duly elected by all owners of property within Mount Christie Estates, I want to express my very strong personal opposition to any zoning changes that might result in any type of 'commercialization' for any aspect of what was once known as the 'Mount Christie Property.'

Background:

I originally purchased the 'Mount Christie Property' ~ 40 years ago (sometime in the early 1980's) for anticipated use as a personal horse farm for my wife, Mary.

She ultimately lost interest in horses, and sometime in the mid-to-late 1990's, we solicited the services of highly respected real estate planners / developers to create a 'highest and best alternative use' for the property.

Their end conclusion was that the only feasible alternative use for the property was conversion into high-end community of luxury 'estate-type' private residences.

The Metamora Township Board of Supervisors (at the time) made it very clear that they wanted nothing to do with a typical high-density suburban 'subdivision' ... no matter how 'luxurious' ... and that they would approve only a very low-density residential community that would retain large amounts of 'open space' that was / still is characteristic of Metamora Township.

Township officials also conditioned their approval of the Mount Christie Site Plan on disallowing any commercialized use of any portion of the open space and the private clubhouse that was then being envisioned.

Thus the original plan for a large horse pasture and clubhouse, surrounded by large (minimum one acre) building sites ... with costs for the open space pasture and clubhouse to be shared by all owners of property within the community of Mount Christie Estates.

However, the 'market' soon made it clear that, despite people who enjoyed living in the country, none wanted to share the costs of maintaining ~ 40 acres of open pasture and a private clubhouse.

That plan was then abandoned in favor of a private club, with membership being 'optional' ... and costs shared only by members of the club.

That plan also proved financially unworkable, and the clubhouse was then used solely for purposes of sales and marketing related to Mount Christie Estates ... with the property later being sold for use as a private residence by Mary and Brian Miller, who had owned one of the luxurious homes within Mount Christie for several years, and wanted to utilize the horse pasture as part of Mary's personal interests in horses.

There was **never** any intent to use any portion of the Mount Christie Property for commercial purposes ... and it is my belief that this would be contrary to best interests of all residents of Mount Christie Estates and the surrounding community of Metamora Township.

I am currently out of town and unable to appear personally before the Township Board of Supervisors ... but want to make my support for entire community of Metamora Township and the smaller community of Mount Christie Estates absolutely clear:

I am very strongly opposed to any type of rezoning that would allow for any type of commercialized usage for any portion of the Mount Christie Property.

Sincerely,

Ron Lamparter

7205 Sterling Ponds Court

Sterling Heights, Michigan 48312

Office phone (586) 274-9441

METAMORA TOWNSHIP
PLANNING COMMISSION AGENDA
SEPTEMBER 11, 2019 7:00 PM
METAMORA TOWNSHIP HALL

Pledge of Allegiance

Roll Call

Approval of Agenda

Approval of Minutes – August 14, 2019 and August 21, 2019

Public Comments (on items not scheduled on this agenda)

New Business:

- A. Application of American Aggregates of Michigan for Phase I review under Zoning Ordinance Section 1203A, Three Factor Preliminary Administrative Determination: Discussion of Zoning Ordinance requirements and consider setting public hearing

Unfinished Business:

- A. Inside Out Storage Special Land Use
- B. Mount Christy Open Space Amendment
- C. Master Plan Amendments
- D. Composting Ordinance

Communications and / or committee report

Matters for discussion from the commission members

Township Planners Report – Doug Piggott-ROWE Professional Services Company

Adjournment



9-9-19

Sept 5, 2019

Chairman of Planning Committee
George Nash
Mela mora Trump.

Mrs. Nash

My husband Bill and I (Lorraine) are longtime residence of W. Davison Lk Rd. (1969). We are appalled at the idea that the Mt Christie Club house is being considered for a Banquet/Wedding Hall. This is so absurd.

- Our home is directly across the road from Mt Christie. We do light farming. We have big machinery that uses Davison Lk Rd. during the summer months.

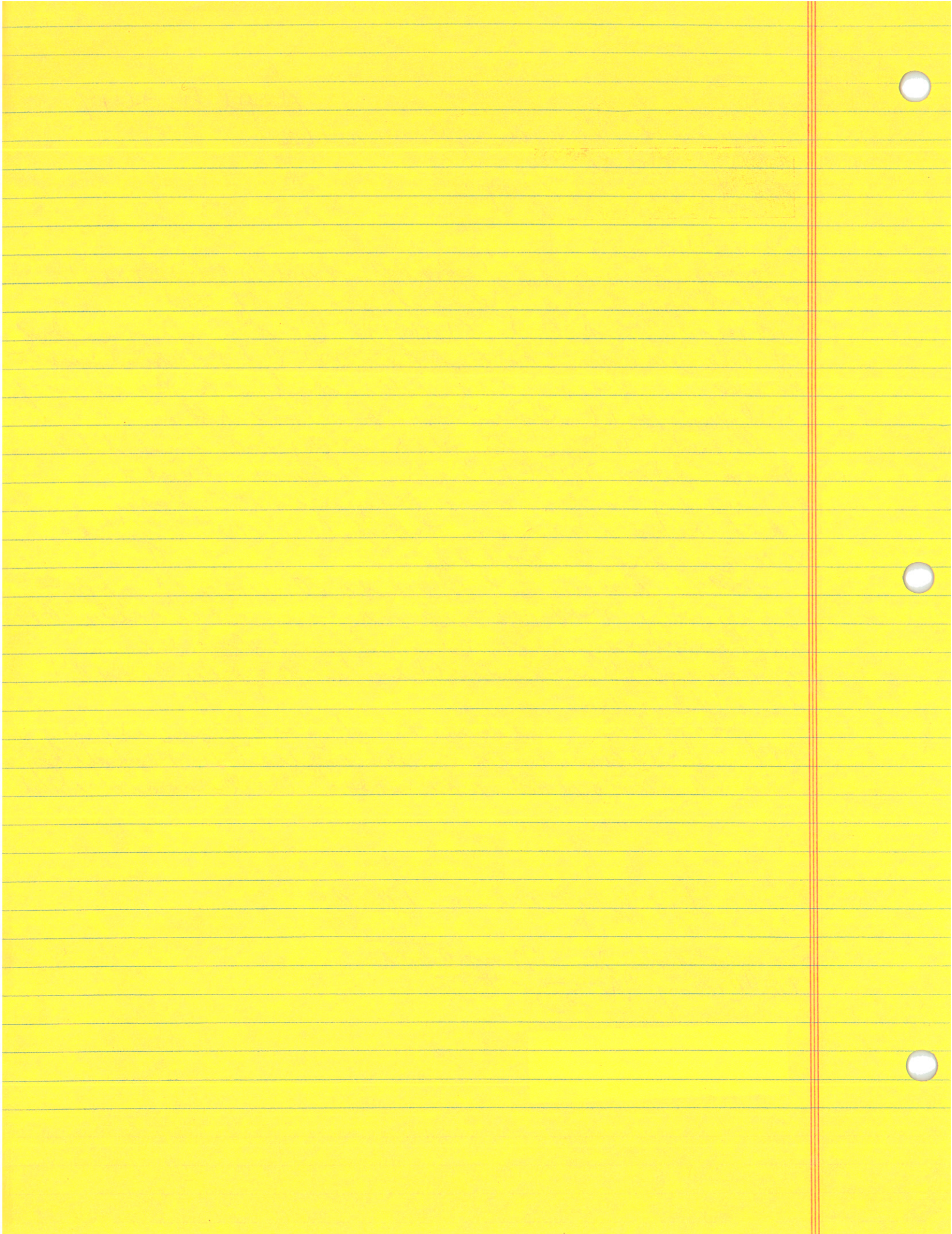
- This Banquet/Wed. Hall would affect property value. We are zoned agriculture. This is horse country. The idea of making Mt Christie into "Party Events" is absurd.

Petition submitted for converting Mt Christie into a banquet/wedding hall should not even be considered.

Respectfully submitted

Lorraine H. Mazzetti
William Mazzetti





William And Patricia Schulte
1407 W Davison Lake Rd
Oxford, Mi 48371
248 628-2803

8-31-2019

Chairman of Planning Committee George Nash
Metamora Township
730 W. Dryden Road
Metamora, MI 48455

Dear Chairman G Nash,

As residents for over 32 years on W Davison Lake Rd, we wish to express our concerns and objection to amending the Mt Christie property from residential/agricultural to a commercial property.

We chose to reside in a country location for peace and quiet. We have grave concerns over our residential/ agricultural area being turned into a commercial property with a noisy large indoor and outdoor venue.

We have concerns regarding the impact of hundreds of vehicles [in all seasons of weather] upon the integrity of our dirt road.

We have concerns regarding the potential of intoxicated drivers' behaviors, especially with children present in the area.

We object to our quiet, country neighborhood being turned into a busy, loud, commercial for-profit place.

Thank you for your consideration in this matter. I am hoping the planning commission will consider the residents of W Davison Lake Rd and their intentions in choosing to purchase property and reside in this area.



William G Schulte



Patricia A Schulte

THE UNIVERSITY OF CHICAGO
LIBRARY
1000 S. MICHIGAN AVE.
CHICAGO, ILL. 60607

1964-65

1. The first part of the book is devoted to a discussion of the history of the theory of the structure of the atom. It begins with a brief review of the classical theory of the atom, and then discusses the development of the quantum theory of the atom.

2. The second part of the book is devoted to a discussion of the theory of the structure of the nucleus. It begins with a brief review of the classical theory of the nucleus, and then discusses the development of the quantum theory of the nucleus.

3. The third part of the book is devoted to a discussion of the theory of the structure of the molecule. It begins with a brief review of the classical theory of the molecule, and then discusses the development of the quantum theory of the molecule.

4. The fourth part of the book is devoted to a discussion of the theory of the structure of the crystal. It begins with a brief review of the classical theory of the crystal, and then discusses the development of the quantum theory of the crystal.

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7. The seventh part of the book is devoted to a discussion of the theory of the structure of the gas. It begins with a brief review of the classical theory of the gas, and then discusses the development of the quantum theory of the gas.

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