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Supervisor Pat Hohl Clerk Mike Dolan Treasurer Jason Negri Trustees Bill Hahn, Patricia Hughes, Chuck Menzies, Cindy Michniewicz

PLANNING COMMISSION MEETING

Wednesday, April 19 at 7:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Commissioner Muck called the meeting to order at 7:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD:

1) **PRESENT:**

John Hamlin
Patricia Hughes
Deborah Mariani
Ron Muir
Jeff Muck, Chair
Joyce Priebe

2) **ABSENT:**

Victor Leabu Jr

APPROVAL OF MEETING AGENDA for tonight.

Motion made by Commissioner Mariani, seconded by Commissioner Hamlin to approve the agenda as presented.

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF THE MEETING MINUTES

Motion made by Commissioner Hamlin, seconded by Commissioner Muir to approve the March 15, 2023, Planning Commission Meeting Minutes, with corrections.

VOTE: MOTION CARRIED UNANIMOUSLY

CALL TO THE PUBLIC (For old business)

None

OLD BUSINESS

1. **Final Site Plan Review (SPA 22-0006)** for a second-story addition over an existing commercial building to accommodate two residential units at 9704 Kress Road (TID 15-21- 405-016).

Chair Commissioner Muck opened the public meeting to Amy Steffens. On December 15, 2022, the applicant submitted a Special Use Permit (SUP) Application to consider the construction 2, 1,152 square foot residential units as a second story addition to an existing commercial building on the corner of Kress Rd and Sha Gri La. On January 18, 2023, the Planning Commission held a hearing for this SUP application, and a motion to approve this SUP failed on a 3 to 1 vote, thereby tabling the SUP hearing and the site plan review. At the March 15, 2023, PC meeting, the PC approved the SUP permit and reviewed the site plan review application. The PC required the applicant to pave the parking area and to work with staff to create a landscaping plan for consideration at the final site plan approval. The PC approved the preliminary site plan with 6 conditions. The application was then forwarded on April 4, 2023, to the Hamburg Township Board as conditioned by the PC. The staff and applicant's landscape plan presented here will provide some of the landscape that was stipulated by the PC at the March 15 meeting.

Chair Commissioner Muck opened the meeting to the commissioners for comments and questions. Commissioner Muir asked about the photometric plan. Amy said the applicant can submit that with the land use permit later. He asked about the delineation of the four guest parking spots. Amy said he can submit that at the time of his site improvement permit. Some discussion about what shrubbery could be used on the front, that would survive cold winters and road salt. Boxwood shrubs were mentioned.

Commissioner Hamlin asked for clarification regarding the fencing on the property. Amy said those conditions had already been approved.

Approval motion by Commissioner Hamlin, seconded by Commissioner Priebe, that the Planning Commission recommends approval of the final site plan SPA 22-002 to the Township Board with the following conditions; because as conditioned the project meets the site plan review standards A-L in Section 36-73 (7) and the additional approval standards of the Neighborhood Service District under Section 36-187 as discussed at tonight's meeting and as presented in the staff report.

Condition 1: Prior to issuance of a land use permit that applicant shall submit a photometric plan that shows that the intensity of light within a site does not exceed ten (10) footcandles or one (1) footcandle at any property line, except where it abuts a residential used or zoned site whereby a maximum of 0.5 footcandles is permitted.

Condition 2: All lighting shall be turned off between 11:00PM and Sunrise except when used for commercial and industrial uses, such as in sales, assembly, and repair areas, where such use is open for business after 11 p.m. but only for so long as such use open for business. Lighting used for security between 11:00 p.m. and sunrise shall be controlled by a motion sensor.

Condition 3: Four parking spaces shall be delineated on the site plan and on-site using permanent signage as dedicated to the residents of the second-story dwelling units.

Condition 4: Prior to issuance of a land use permit for either site improvements or construction of the residential units the applicant shall receive approval from all required agencies including but not limited

to, Hamburg Township Fire, Engineering and Public Work Departments, Livingston County Drain Commissioner, Livingston County Road Commission, and Health Department.

Condition 5: All signage shall conform to Article XIII, Signs, and land use permits shall be issued prior to installation of signage.

Roll Call Vote: Ayes: 6 Nays: 0

VOTE: MOTION CARRIED UNANIMOUSLY

CURRENT BUSINESS

1. **ZMA #23-001 -Zoning Map Amendment** to change the zoning of the parcel commonly known as 6716 Winans Lake Rd (TID#4715-14-400-008 and 4715-23-100-002) from Water Front Residential (WFR) to Public and Private Recreation Facilities (PPRF) in (Zoning Ordinance Section 36-185).

Chair Commissioner Muck opened the public hearing to Amy Steffens to present her staff report. Applicant submitted a request to change the zoning district on this site from WFR to PPRF district on March 13, 2023. The portion along the Huron River that is in the Natural Rivers District (NR) will remain as NR zoning. The 2020 Master Plan identifies this parcel as medium density residential for future use plan. Each zoning district has a list of permitted uses that are permitted by right, that only requires a land use permit without Planning Commission Approval. Also, each zoning district has a list of special uses that are permitted, subject to PC approval and companion site plan review and approval. The Zoning Ordinance does not provide standards by which a map amendment needs to be considered. Staff offer the following for consideration by the PC.

- (1) The Zoning map amendment should be compatible with the goals, policies, and future land use map of the Master Plan. The 2020 master plan envisions this area as medium-density residential and natural river to the south by the Huron River. This rezoning would support goals 2, 7, and 8 of the Master Plan. The change in zoning district would allow for the permitted uses in the PPRF district and allow for the special use application for the special uses listed for this district. Section 36-71 specifies that the PC would have site plan review responsibility over permitted uses except for general and specialized farming activities.
- (2) Compatibility of the site's physical, hydrological, and other environmental features all uses permitted in the proposed zoning district compared to uses permitted under current zoning. The uses permitted in the PPRF district would be less impactful than single-family residential uses permitted in the WFR district. Single-family residential would require greater infrastructure where as PPRF would keep a larger portion of this site undeveloped.
- (3) If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use. The applicant has indicated that the zoning map amendment is in support of a proposed "recreational facility dedicated and designed for veterans and their families as a place of relaxation and reflection." Approval of the zoning map amendment does not imply that every special use in the PPRF district would be appropriate at this site, as the

Commission would have discretion to approve or disapprove a special use that does not comply with Section 36-36 of the Ordinance.

- (4) The parcel can meet the requirements of the proposed zoning district since it is 92-acres and adequately sized to accommodate site improvements, structures and utility installation that is in compliance with our Zoning Ordinance setback requirements.

Chair Commission Muck opened the public hearing to the applicant. Adorno Piccinini, the project director of Freedom River Retreat and Recover Campground spoke to the commission. This private campground is for veterans to relax, recover and rejuvenate in a natural setting. By-laws for Freedom River stipulate that it will always be under the control of a veteran-related organization if Freedom River ceases to exist. This property will not become a public campground. The boat launches will be permitted and meet the requirements of EGLE and MDNR divisions and will be in full compliance of rules and regulations. There will be no equestrian facility as proposed, but that area has been replaced with a service dog facility. The solar farm field is not a part of the current project scope.

Jeff and Janna Yeakey, residents of Hamburg Township as well as neighbors to this project, 9305 Huron Rapids Dr. Jeff is a U.S. Army veteran and serves as President & Director of Operations for Freedom River's Board. Janna is the Executive Director for Freedom River. Beverly Conatser is the Vice Chair Women of Freedom River. Beverly is an Army veteran and retired chief of Voluntary & Chaplin Services at the V.A. in Ann Arbor. Erich Smith is with Wade Trim Associates, the project civil engineer. Todd Hallett is a resident of Hamburg Township and owns TK Designs, the project architect. Mike Halloran, not present, is Chairman of the Board of Freedom River and will be the contractor of Freedom River.

Chair Commissioner Muck opened the Public Comment to the audience.

- Charles Armour -6641 Winas Lake Rd is a 24-year retired veteran in support of the project.
- Michelle Ormanian- 9497 Huron Rapids Dr has been a Hamburg Township resident for 24 years; spoke in opposition to the project.
- Joshua Muns- is a Marine veteran and is a Hamburg resident. He works as a social worker that stated that 660 veterans die by suicide each month. He is in support of this project.
- Laszlo Szalay- 7867 Kilkenny Dr is a disabled Marine veteran who did 18 ½ deployments in 18 years and served in the CIA. He is in support of this project.
- Kevin Guthrie- 9421 Huron Rapids Dr is against this project due to the RV park.
- Kirt Lanam- is a 34-year Air Force veteran, 22 years of active combat and 38 deployments. He supports this project.
- Terran Frye- Howell resident, Marine veteran with 2 deployments to Iraq. This is a temporary campground not a permanent trailer park. He is in support of the project.
- Rick Beaudin- 9676 Zukey Lake Dr is a local Hamburg resident and a real estate agent. He is a member of the Putnam Pinckney Chamber of Commerce. He spoke about property values, sense of identity. He is supportive of this project.
- Carol Ann Wilson- 9253 Huron Rapids Drive, 45-year resident of Hamburg Township. Her husband who is a Vietnam veteran. She is not opposed to project but wonders if there is a better way to spend resources on helping veterans.

- Michael Bitondo -2020 Darwin Rd has lived in Hamburg Township since 1983 and has been served on government boards and a township Trustee off and on since 1986. He is in support of this project.
- Shawn Fitzgerald -9239 Silver Maple Rd is Carol Ann's neighbor. He is in support of this project. Is asking to relocate the RV park to the others side away from the neighborhood due to diesel fuel smells.
- Dale Brewer- 11548 East Shore Dr, Whitmore Lake is a Green Oaks resident but serves disabled American veterans every day. He is in support of this project.
- Candi Kutey- 7769 Athlone Dr is a caregiver for a veteran. She has witnessed other veteran parks and how the communities support the veterans. She is supportive of this project.
- Joanna Hardesty- 4277 E. M-36 has been a Hamburg resident since 1992. She served as Hamburg Township Clerk for 12 years. She has had many generations of veterans in her family, even two sons who served. She is serving as a director of Freedom River, and everyone working on this project are volunteers and the funding was gained through donations. She is in support of this project.
- Mark Kovach- a resident of Pinckney and serves as the command of the Livingston and Oakland County V.A. He is in support of this project.
- Christa Braun- 9489 Huron Rapids Dr is a concerned local resident. She is concerned by the sheer number of veterans that might show up on a given day. She is concerned by how close the park is to their neighborhood and there might be too many people on the land at one time.
- Anja Mackey- 8760 Tamarack Drive. She understands the concerns about the campground. She does not believe that Freedom River will have events that are loud and out of control. She is in support of this project.
- Ralph Pachinzki- Lake Kress Dr is a neighbor to this project. He raised concerns about setback violations, on-site stormwater, and use the mature trees as a natural sound buffer rather than clearcutting them for more development. He is supportive of this project but wants it done tastefully.
- Commission received six letters from four people not in support of the project. Letters were placed in the file.

Chair Commissioner Muck closed the public meeting and opened it to the Commissioners. Commissioner Priebe thanked all the veterans for their service.

Commissioner Muir reminded the applicant that all site plan approvals need to go through the Planning Commission for review of campsites, stormwater, and engineering. We need to first approve the zoning map amendment to allow Freedom River to proceed.

Commissioner Hamlin felt that this project was much better than a subdivision with 78 homes. He indicated this is a straight rezoning request.

Approval motion by Commissioner Priebe, seconded by Commissioner Hamlin, that the Planning Commission recommend approval of the Zoning Map Amendment 23-001 to change the zoning of the parcel commonly known as 6716 Winans Lake Rd (TID#4715-14-400-008 and 4715-23-100-002) from Water Front Residential (WFR) to Public and Private Recreation Facilities (PPRF) in (Zoning Ordinance

Section 36-185) and directs staff to forward the request to the Livingston County Planning Commission for review and to draft an amendment to the Master Plan.

Roll Call Vote: Ayes: 6 Nays: 0

VOTE: MOTION CARRIED UNANIMOUSLY

2. **Special Use Permit (SUP 23-001)** to permit a public or private campground and lodge with associated private outdoor recreational areas and indoor recreational buildings for military veterans and their families at parcel commonly known as 6716 Winans Lake Road (TID#4715-14-400-008 and 4715-23-100-002).

Chair Commissioner Muck opened the public hearing to Amy Steffens to present her staff report. She addressed the Discretionary Review Standards 1-7 for the Special Use Permit (Section 36-36 (C)). The preliminary engineering review is not back yet. Approval from Livingston County Health Department is needed. Amy spoke with John Wilson of the LCHD on April 18, 2023. John believes that the existing wells will be adequate to serve these uses. There is a sewer line on Winans Lake Road. The site plan shows 5 slips on the Huron River. The Township Ordinance stipulates 4 or more docks is defined as a marina and would not be allowed in this district. Staff have requested this number of docks be reduced in number. Staff has also asked that these docks be reoriented to meet the ordinance for the Natural Rivers District (NR). She also addresses the PPRF district additional regulations from Section 36-185 (b). Staff report notes where zoning requirements are met and not met.

Chair Commission Muck opened the Public Meeting to the audience.

- Kevin Guthrie- 9421 Huron Rapids Dr is against this project due to the RV park.
- Terran Frye – Howell; Marine veteran with two deployments to Iraq. This is a temporary campground not a permanent trailer park.
- Laszlo Szalay- 7867 Kilkenny Dr is a disabled, Marine veteran who did 18 ½ deployments in 18 years and served in the CIA. He is in support of this project.
- Nancy Hubble- 6039 Winans Lake Rd have family and friends that are veterans of Vietnam. Residents that live nearby have concerns with this project, especially traffic and safety. Concerned with the type of boating allowed on Gut Lake. She is supportive of this project.
- Joshua Muns- is a Marine veteran and is a Hamburg resident. He works as a social worker that stated that 660 veterans die by suicide each month. He is in support of this project.
- Joanna Hardesty- 4277 E. M-36. She was on the township Board when the lake was made a no-wake lake; no motors permitted.

Chair Commission Muck closed the public comment and opened the meeting to the Commissioners. Commissioner Muir asked the applicant if the RV spots will have electricity. The applicant said they will have electric hook-up. Muir asked how the RV spots will be rented out through organizational standards. Renters will need a reservation to rent an RV for overnight, and facility users will be vetted prior to arriving.

Commissioner Hamlin asked the applicant who owns the property. The applicant said it was Freedom River. Hamlin asked which veterans will be eligible to use this park. Will it be Livingston County veterans only or all veterans? Target is toward Livingston County veterans, but available to any veteran. Hamlin asked if manager will be onsite and Janna said there will be someone there all the time to supervise. This is a 501 c 3 organization. It has been funded by private donations. Hamlin stated that the special land use permit should reflect the ideals of this is a recreational facility that is dedicated and designed for the veterans and their families as a place of relaxation and reflection, and the approval goes with the land. Glad to hear there is no light and amplifications onsite and would like to keep this in the conditions for approval.

Commissioner Mariani asked about the solar farm. Janna indicated that DTE approached Freedom River about installing solar farm. The solar farm would require special use and is not a part of this application. The applicant said that the RV renters will have to fill up at the well, because each site will not have water hookup. The capacity of the site for campers, once built out, would be approximately 212.

Commissioner Hamlin mentioned that there are 169 parking spaces and asked if there would be a curfew for visitors to leave by if they were not staying overnight. Phase one is sun-up to sun-down since there is no lighting on the sports fields.

Chair Commissioner Muck asked Amy what process Freedom River would be required to follow to have large events on their site. Amy said she will have to review the Zoning Ordinance to see what that process would require. We would make it a condition of the site plan, to be reviewed for public safety and Livingston Road Commission. Muck said we need to include this requirement in the conditions of the Site Plan Review.

Approval motion by Commissioner Priebe, seconded by Commissioner Muir to approve Special Use permit (SUP23-003) to permit a private campground and lodge with associated private outdoor recreational areas and indoor recreational buildings for military veterans and their families dedicated and designed for veterans and their families for relaxation and reflection at parcel commonly known as 6716 Winans Lake Road (TID 4715-14-400-008 and 4715-23-100-002) (Zoning Ordinance Section 36-185) because as conditioned the project would comply with the standards of Sections 36-36 and 36-187 as presented at the April 19, 2023 hearing and in the staff report.

Condition 1: The Special Use Permit for the private camp use is only valid with approval of a final site plan from Hamburg Township.

Condition 2: Prior to issuance of a land use permit a driveway permit from the Livingston County Road Commission will be required.

Condition 3: Prior to issuance of a land use permit all approvals from the Livingston County Health Department will be required.

Condition 4: A landscaping buffer, which may include a berm, shall be provided along the north, east, and west property boundaries.

Condition 5: The docks on the Huron River shall be reoriented, sized, and reduced in number to meet the Ordinance requirements.

Condition 6: No public use of the docks shall be permitted.

Condition 7: All required state permits shall be obtained prior to the installation of any docks in the Huron River.

Condition 8: The special land use permit for the private camp use shall be null and void unless a land use permit for the private camp use on the site is granted within one year from the date of this approval.

Condition 9: No lighting or amplification will be permitted on this site.

Condition 10: Special event usage to be coordinated with Township public safety committee.

Roll Call Vote: Ayes: 6 Nays: 0

VOTE: MOTION CARRIED UNANIMOUSLY

Zoning Administrator's Report

The Zoning Map Amendment will be forwarded to Livingston County Planning for consideration at their May 17, 2023 meeting, which is the same night as the next township Commission meeting. Staff will change the Township Commission meeting. Map amendment will go to Township Board of Trustees for consideration at their June 6, 2023 meeting.

ADJOURNMENT

Motion by Hamlin, support by Hughes to adjourn.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

Amy Steffens

Planning & Zoning Director

The minutes were approved as presented/corrected: _____

Commissioner **Jeff Muck**, Chairperson