

**PLANNING COMMISSION
JANUARY 22, 2008**

MEMBERS PRESENT: JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
DEBRA WIEDMAN-CLAWSON
JAMES L. ANDERSON

MEMBERS ABSENT: JEAN ROOT, SECRETARY

OTHERS PRESENT: ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
KENNETH E. RECKER, CHIEF DEPUTY DRAIN COMMISSIONER
LES ANDERSEN, TRUSTEE
ROBERT W. HANVEY, SUPERVISOR

CALL TO ORDER

John Lowe called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA

Debra Wiedman-Clawson motioned to approve the January 22, 2008 regular meeting agenda.
Dave Hamann seconded. **Motion Carried 4-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. Jean Root was absent.

CALL TO THE PUBLIC

John Lowe opened the call to the public.
No response.
John Lowe closed the call to the public.

APPROVAL OF MINUTES

December 18, 2007 Regular Meeting minutes

Debra Wiedman-Clawson motioned to approve the December 18, 2008 regular meeting minutes.
Dave Hamann seconded. **Motion Carried 4-0.**

OLD BUSINESS

Sample of a proposed General Ordinance – Stormwater Ordinance w/maintenance agreement

Chief Deputy Drain Commissioner, Kenneth E. Recker, P.E., attended the Planning Commission meeting to answer any question the Commissioners may have on the proposed general ordinance. The main thrust of the general ordinance is the issue of maintenance of private drains in plats with private roads and private drains. It gives authority to local governments if systems are not being maintained. Marion Township should require a maintenance agreement for private systems with all proposed developments. He suggested placing language in the zoning ordinance that new development must meet Livingston County Drain Commission (LCDC) standards. That will meet the upcoming Phase II requirements. He also suggested checking with our township attorney, once the language is drafted, to make sure it is enforceable. Mr. Recker gave the Planning Commission members a general maintenance guideline handout created by the Michigan Department of Environmental Quality.

Debra Wiedman-Clawson would like Marion Township to ask for as built drawings and have the township engineer certify them.

Mr. Recker felt the as built drawings are nebulas and thinks someone has to be on site to see the

system being installed. He would like to see the following items reviewed while drafting the language.

- 1) Do not make LCDC the consulting authority
- 2) Require verification as built is correct
- 3) Make correction at the developers' expense
- 4) How is agreement constructed with the township engineer? Who certifies?
- 5) Reasonable level of assurance as to what is being proposed is being built/weak inspection agreement/unreliable developer
- 6) Specify minimum basement opening elevations
- 7) Marion Township should require LCDC certify volume of retention/detention basis

No motion made.

Rolling Hills Ranch Special Use Permit review – located in the Rural Residential District on the north side of W. Coon Lake Road – Tax ID# 4710-22-400-007 – proposed use; Commercial Stable

John Enos discussed the review process over the last few months. Howell Area Fire Authority has sent a letter of approval. If Marion Township moves forward with the project and the applicant would like to have a large scale gathering they will apply for a temporary use permit. There have been issues brought up by county agencies; he does not feel approval should be conditioned on approval from those agencies that is up to the applicant.

Debra Wiedman-Clawson would like to add a condition to the special use that there will be no principal structure built on the site.

James L. Anderson asked if the trailers will always be parked out front.

Mr. Wilson answered no; there will be an area around back.

The Planning Commission asked about signage. Mr. Wilson said nothing has been drawn up yet, he will bring a sketch into the township for the zoning administrator to review.

Annette McNamara agreed to make copies of previous conditions placed on Commercial Stables for the Planning Commission members to review at their February 26th meeting.

Debra Wiedman-Clawson motioned to hold a public hearing on February 26, 2008 at 7:15 p.m. for Rolling Hills Ranch Commercial Stable Special Use Permit, Tax ID# 4710-22-400-007. Dave Hamann seconded. **Motion carried 4-0.**

Status of Existing Residential Subdivision District ERS 2

Mike Kehoe, Township Attorney could not attend tonight's meeting, he will attend the February 26, 2008 meeting.

Debra Wiedman-Clawson motioned to table this agenda item until the February 26, 2008 regular meeting when Mike Kehoe can attend. James L. Anderson seconded. **Motion carried 4-0.**

Proposed Amendment – Section 00.00 Wind Energy Conversion Systems

The Planning Commission reviewed the maps and information provided by Carlisle/Wortman Associates, Inc.

After review and discussion the Planning Commission members agreed to table this item for six months.

Debra Wiedman-Clawson motioned to table Wind Energy Conversion Systems to the July 22, 2008 regular Planning Commission meeting. Dave Hamann seconded. **Motion carried 4-0.**

Proposed Amendment – Section 4.03 E – add final inspection to receive Certificate of Compliance

The Board of Trustees returned this amendment to the Planning Commission after their preliminary review with comments.

The Planning Commission members agreed to the following.

- 1) Page 2 of 3; 4.03 C #9 keep the 5' from the building envelope
- 2) Page 3 of 3; 4.03 E delete "during the pouring of footings, or excavation for a foundation" insert "following footing installation"

Dave Hamann motioned to send Section 4.03 E to the Board of Trustees for final review and approval/denial. James L. Anderson seconded. **Motion carried 4-0.**

Proposed Amendment – Section 8.01 D 2 – Rural Residential Private Stables

The Board of Trustees returned this amendment to the Planning Commission after their preliminary review with comments.

The Planning Commission discussed the Board of Trustees comments and agreed to change the following.

- 1) 8.01 D 2 d to read; "Private stable shall only house horses owned by the owner of the property."
- 2) 8.01 D 2 i; remove the word piles
- 3) 8.01 D 2 j; delete the last sentence in its entirety. The last sentence will now read; "An enclosed structure is required and must have at least one 10' x 10' stall for every two (2) horses.

Debra Wiedman-Clawson motioned to send Section 8.01 D 2 Rural Residential Private Stables to the Livingston County Department of Planning (LCDP) with the proposed changes for review and comment. When returned from LCDP it is to be sent to the Board of Trustees for final review and approval/denial. Dave Hamann seconded. **Motion carried 4-0.**

Proposed Amendment – Section 8.02 D 1 – Suburban Residential Private Stables

The Board of Trustees returned this amendment to the Planning Commission after their preliminary review with comments.

The Planning Commission discussed the Board of Trustees comments and agreed to change the following.

- 1) 8.01 D 2 d to read; "Private stable shall only house horses owned by the owner of the property."
- 2) 8.01 D 2 i; remove the word piles
- 3) 8.01 D 2 j; delete the last sentence in its entirety. The last sentence will now read; "An enclosed structure is required and must have at least one 10' x 10' stall for every two (2) horses.

Debra Wiedman-Clawson motioned to send Section 8.02 D 1 Suburban Residential Private Stables to the LCDP for with the proposed changes review and comment. When returned from LCDP it is to be sent to the Board of Trustees for final review and approval/denial. James L. Anderson seconded. Debra Wiedman-Clawson seconded. **Motion carried 4-0.**

Proposed Amendment – Section 3.02 Definition of Pens, Corrals & Pasture & Fence discussion

The Board of Trustees returned this amendment to the Planning Commission after their preliminary review with comments.

The Planning Commission discussed the Board of Trustees comments and agreed to change the following.

- 1) Private or Commercial Stable Fencing definition; incorporate the last sentence into the second sentence to read; "Fences containing barbed wire, electric charges or sharp materials must address requirements to satisfy animal being contained."
- 2) Corral definition to read; "A fenced enclosure for confining livestock."
- 3) Pasture definition to read; "Enclosed, ground vegetated area for grazing or exercising animals."
- 4) Delete definition of Pen in its entirety

Debra Wiedman-Clawson motioned to send Section 3.02 Definition Private and Commercial Stable fencing along with definitions of Pens, Corrals, Pasture and Fences to the LCDP for review and comment. When returned from LCDP it is to be sent to the Board of Trustees for final review and approval/denial. James L. Anderson seconded. **Motion carried 4-0.**

Proposed Amendment – Section 6.27 Wellhead Protection & Hazardous Substance Overlay Zone

Debra Wiedman-Clawson motioned to hold a public hearing for Section 6.27 Wellhead Protection & Hazardous Substance Overlay Zone, on February 28, 2008 at 7:15 p.m. Dave Hamann seconded. **Motion carried 4-0.**

Proposed Amendment – Section 6.14 Home Occupations

Debra Wiedman-Clawson noted that outdoor storage is not allowed and would like to see the following amended.

- 1) Page 4 of 8; item e, delete "and outdoor storage areas"

The Planning Commission members are satisfied with the proposed text.

Debra Wiedman-Clawson motioned to send Section 6.14 Home Occupations to the Board of Trustees for preliminary review and comment. James Anderson seconded. **Motion carried 4-0.**

NEW BUSINESS

No New Business.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

None heard.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the meeting at 9:45 p.m. James L. Anderson seconded. **Motion Carried 4-0.**

**PLANNING COMMISSION
PUBLIC HEARING
FEBRUARY 26, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN E. ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON
JAMES L. ANDERSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR

JOHN ENOS, CARLISLE/WORTMAN
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

Jack Lowe called the meeting to order at 7:15 p.m.

APPROVAL OF AGENDA

Dave Hamann motioned to approve the February 26, 2008 public hearing agenda. James L. Anderson seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. All were present

CALL TO THE PUBLIC

John Lowe opened the call to the public.

None heard.

Jack Lowe closed the call to the public.

APPROVAL OF MINUTES

No minutes to approve.

OLD BUSINESS

Rolling Hills Ranch Special Use Permit review – located in the Rural Residential District on the north side of W. Coon Lake Road – Tax ID# 4710-22-400-007 – proposed use; Commercial Stable

John Enos summarized the special use request and is prepared to recommend approval based on the standards set forth in Article XVI. The Planning Commission will have to discuss and add the hours of operation, item #8, on the list of conditions.

Jean Root asked if the applicants have received a draft copy of the conditions.

The applicants responded yes.

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

John Lowe asked the Planning Commission if they had any comments. None heard.

Proposed Amendment – Section 6.27 Wellhead Protection & Hazardous Substance Overlay Zone

John Enos summarized the amendment. This amendment will update the text by directing the public to a Michigan Department of Environmental Quality web link. The current text refers to a map created by the Livingston County Health Department.

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

John Lowe asked the Planning Commission members if they had any comments.

The Planning Commission members had no further comments.

NEW BUSINESS

No new business.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Jean Root motioned to adjourn the meeting at 7:20 p.m. Dave Hamann seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 26, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON
JAMES L. ANDERSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
MICHAEL J. KEHOE, MILLER, KEHOE & ASSOCIATES
LES ANDERSEN, TRUSTEE
ROBERT W. HANVEY, SUPERVISOR

CALL TO ORDER

John Lowe called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA

The proposed text amendment for the Wellhead Protection Area map and discussion on the D-19 Corridor plan was added to the agenda. Jean Root motioned to approve the February 26, 2008 regular meeting agenda as amended. Dave Hamann seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. All were present.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

January 22, 2008 Regular Meeting minutes

Dave Hamann motioned to approve the January 22, 2008 regular meeting minutes. James L. Anderson seconded. **Motion Carried 4-0. Jean Root abstained.**

OLD BUSINESS

Rolling Hills Ranch Special Use Permit review – located in the Rural Residential District on the north side of W. Coon Lake Road – Tax ID# 4710-22-400-007 – proposed use; Commercial Stable

John Enos noted there were no comments from the public at the public hearing or by mail. The Planning Commission can add hours of operation, yet he does not think this is necessary.

Debra Wiedman-Clawson noted out of the two previous requests the Planning Commission had required of one and not the other.

After discussion with the applicants and Mike Kehoe, Township Attorney, the Planning Commission added hours of operation as 5:00 a.m. to 12:00 a.m.

Jean Root motioned to recommend approval for Rolling Hills Ranch Site Plan, Tax ID# 4710-22-400-007 dated 12-27-07. James L. Anderson seconded. **Roll Call; James L. Anderson yes; Jean Root yes; John Lowe yes; Dave Hamann yes; Debra Wiedman-Clawson yes. Motion carried 5-0.**

Jean Root motioned to recommend approval for Rolling Hills Ranch Special Use Permit, Tax ID#4710-22-400-007, with hours of operation added to item #8, dated 12-18-08. James L. Anderson seconded. **Roll Call; James L. Anderson yes; Jean Root yes; John Lowe yes; Dave Hamann yes; Debra Wiedman-Clawson yes. Motion carried 5-0.**

Sample of a proposed General Ordinance – Stormwater Ordinance w/maintenance agreement

John Enos told the Planning Commission that this text was created for a community with large scale development. The text could be tailored down to fit Marion Township.

The Planning Commission members agreed to simplify the text. It is important for Marion Township to have the ability to enforce maintenance agreements and perform inspections during the construction. John Enos will work with Mike Kehoe and Phil Westmoreland to have the revised text to the Planning Commission by March 25, 2008 meeting.

Jean Root motioned to table the Stormwater Ordinance w/maintenance agreement to the March 25, 2008 meeting. Dave Hamann seconded. **Motion carried 5-0.**

Status of Existing Residential Subdivision District ERS 2

Mike Kehoe summarized the reasoning behind the creation of ERS 1 & 2 and believes it should be shown on the map as a district.

Mr. Hanvey asked if that meant all the parcels would have to be rezoned. Mike Kehoe said he would have to see the final map to answer that question.

Debra Wiedman-Clawson would like the Planning Commission to consider the five year review of the Comprehensive Plan at the same time.

Jean Root would like to have the map in order first prior to adoption they could work on the Comprehensive Plan.

Mr. Hanvey and Annette McNamara will work on the map and have it ready for the Planning Commission to review at the March 25, 2008 meeting. Mike Kehoe wants to see the map prior to adoption.

Jean Root motioned to table ERS-2, including corrections to the Zoning Ordinance map to the March 25, 2008 meeting for review. James L. Anderson seconded. **Motion carried 5-0.**

Proposed Text Amendment – Section 3.02 – Definition of Contractor Storage Yard

Dave Hamann informed the Planning Commission members of the discussion at the Board of Trustees meeting, which included the applicants' attorney, Joseph A. Siciliano.

Joseph A. Siciliano told the Planning Commission they are aware of his position. He has done extensive research and found one community, Lake County, Virginia, with a definition of a Contractor Storage Yard. The definition was the exact same text as first proposed to the Planning Commission in October 2007. Joseph A. Siciliano found no limitation to a single entity except here in Marion Township.

John Lowe stated there are potential problems with multiple contractors.

John Enos noted that Contractor Storage Yards are a use permitted by right in the Light Industrial District.

Debra Wiedman-Clawson stated the single entity was put in to clarify the Planning Commissions intent.

Jean Root motioned to send to the Livingston County Department of Planning, Section 3.02 Definition of Contractor Storage Yard dated October 23, 2007. When returned, forward to the Board of Trustees for approval/denial. James L. Anderson seconded. **Motion carried 5-0.**

Proposed Text Amendment – Section 6.14 – Home Occupations

The Planning Commission members reviewed the Board of Trustees comments and would like the following changes to the text.

Page 1 of 8; remove 'and telecommuters' from the opening paragraph.

Page 1 of 8 sub section G; change 'may' to 'shall'

Page 3 of 8 sub section J; change the number eight to twelve

Page 6 of 8 definitions; delete the words 'clearly customary'

Page 6 of 8 Section 6.07 delete the word 'businesses'

Jean Root motioned to send Section 6.14 Home Occupations to Mike Kehoe for review and comment and place on the March 25, 2008 agenda. James L. Anderson seconded. **Motion carried 5-0.**

Proposed Amendment – Section 6.27 Wellhead Protection & Hazardous Substance Overlay Zone

John Enos and the Planning Commission members are satisfied with the proposed text.

Jean Root motioned to send to the Livingston County Department of Planning, Section 6.27 Wellhead Protection & Hazardous Substance Overlay Zone dated January 22, 2008. When returned, forward to the Board of Trustees for approval/denial. James L. Anderson seconded. **Motion carried 5-0.**

NEW BUSINESS:

Proposed Text Amendment – Article VI – General Provisions

The Planning Commission reviewed the changes and agreed they were extensive.

Mike Kehoe would like to review and comment one more time.

Charles Musson 333 Triangle Lake Road; on page 8 of 39, Section 6.11, the word lots should be replaced with parcels.

Jean Root motioned to send to Mike Kehoe for review and comment and be placed on the March 25, 2008 agenda. Dave Hamann seconded. **Motion carried 5-0.**

NEW BUSINESS

D-19 Corridor Conceptual Review

John Lowe and James L. Anderson updated the rest of the Planning Commission members on the February 13, 2008 workshop with the City of Howell. Everyone has been invited to the March 5, 2008 conceptual review of the plan to be held at the Howell Opera House.

Mike Kehoe suggested that the meeting be posted by Marion Township since there may be a

quorum of Planning Commission and Board of Trustees.

John Enos and Jennifer Coe will present options to the Marion Township Planning Commission for future meetings with the City of Howell Planning Commission.

CALL TO THE PUBLIC

John Lowe opened the call to the public.
None heard.
John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the meeting at 9:40 p.m. Jean Root seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
MARCH 25, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON
JAMES L. ANDERSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
PHIL WESTMORELAND, ORCHARD, HILTZ & MCCLIMENT
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA

Discussion on Article XV Signs was added under new business. Dave Hamann motioned to approve the March 25, 2008 regular meeting agenda as amended. James L. Anderson seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. All were present.

CALL TO THE PUBLIC

John Lowe opened the call to the public.
No response.
John Lowe closed the call to the public.

APPROVAL OF MINUTES

February 26, 2008 Public Hearing minutes

Dave Hamann motioned to approve the February 26, 2008 public hearing meeting minutes. Jean Root seconded. **Motion Carried 5-0.**

February 26, 2008 Regular Meeting minutes

Jean Root asked that Michael J. Kehoe, Miller, Kehoe & Associates be added to others present in the heading. Dave Hamann motioned to approve the February 26, 2008 regular meeting minutes as amended. James L. Anderson seconded. **Motion Carried 5-0.**

OLD BUSINESS

Sample of a proposed General Ordinance – Stormwater Ordinance w/maintenance agreement

The Planning Commission members asked John Enos to simplify the proposed text and add the maintenance agreement.

John Enos will contact Ken Recker, Livingston County Drain Commissioners Office once the text is simplified to make sure he covered the issues brought up at the January 22, 2008 meeting.

Jean Root motioned to table the Stormwater Ordinance w/maintenance agreement for John Enos to rewrite and simplify the text to the April 22, 2008 meeting. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

Status of Existing Residential Subdivision District ERS 2

Dave Hamann motioned to table discussion on ERS-2 to the April 22, 2008 meeting. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

Proposed Text Amendment – Section 6.14 – Home Occupations

The Planning Commission members reviewed the comments made by Mike Kehoe in his letter dated March 18, 2008 and would like the following changes to the text.

Page 1 of 8 item F; remove 'the conduct of' add the word 'and' after street and delete the last line.

Page 4 of 8 sub section J; change 'waive' to 'relax'

Page 4 of 8; insert sub section identification for approval procedures

Page 4 of 8 second sentence of third paragraph of approval procedures delete 'needs to' and add 'must'

Page 5 of 8 first paragraph under sub section G; add 'In addition' to beginning of paragraph and delete 'making' and add 'to allow to make'

Jean Root motioned to update Section 6.14 Home Occupations per Mike Kehoe review letter dated March 18, 2008 and sent to the Board of Trustees for review and comment. Dave Hamann seconded. **Motion carried 5-0.**

Proposed Text Amendment – Article VI – General Provisions

The Planning Commission discussed the 1999 publication titled Small Business Guide to Secondary Containment referenced in Section 6.27.

James L. Anderson noted that there are Federal and State guidelines to reference and they should not rely on a 1999 document.

Dave Hamann noted the Livingston County Department of Planning has standards for Hazardous Waste.

James L. Anderson will send information to Annette McNamara to copy for the Planning Commission review.

The Planning Commission members agreed to strike the reference to Small Business Guide to Secondary Containment from the text and look for other outdated references. This will be deleted when Section 6.27 is amended.

Because General Provisions is extensive the Planning Commission would like to work on Section 6.01 through 6.19 Access Controls at the April 22, 2008 meeting.

Mike Kehoe had noted that Section 6.02 may conflict with the Right to Farm Act. The Planning Commission members would like Mike Kehoe to comment on Section 6.02 items #1-4.

Jean Root motioned to table Article VI, Section 6.01 through 6.19 to the April 22, 2008 meeting. James L. Anderson seconded. **Motion carried 5-0.**

NEW BUSINESS:

Set a date for a presentation by John Enos and Jennifer Coe on Joint Planning Commission Options

John Enos suggested a growth management boundary option and he will ask Jennifer Coe to see if the City of Howell is open to it.

Dave Hamann wants to know if Marion Township residents are going to be assessed for the D-19 Corridor improvement plan.

The Planning Commission agreed they want to work on specific issues and this be a temporary situation. They want to work on the following issues.

- 1) I-96 Interchange improvements
- 2) Mobile Home Park and demonstrated need
- 3) City of Howell Sewer Plant
- 4) Entrances to Marion Township and City of Howell

The Planning Commission agreed that it is the Marion Township Board of Trustees that has the final word on a Joint Planning Commission. John Lowe will attend the March 27, 2008 Board of Trustees meeting and discuss this issue with them.

Jean Root motioned to table setting a date for a presentation and to have John Lowe present options discussed tonight by the Planning Commission to the Board of Trustees. James L. Anderson seconded. **Motion carried 5-0.**

Article XV Signs

John Lowe asked the Planning Commission members if they recalled a discussion with Howell High School officials regarding moving signage.

James L. Anderson would like to see the minutes from that meeting held on July 7, 2007.

The Planning Commission members agreed that they are opposed to the sign, it does not meet Marion Township Zoning Ordinance requirements and they do not want to set precedence for future commercial development.

John Enos offered submit a dark sky ordinance for the April 22, 2008 meeting.

Jean Root motioned to table this agenda item to the April 22, 2008 meeting, John Enos to submit possible amendments for the signs and billboards text. Dave Hamann seconded. **Motion carried 5-0.**

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Les Andersen stated he is one of seven board members and agrees with intergovernmental relationships. He would like to see Marion Township participate yet not permanently.

Debra Wiedman-Clawson discussed a proposed gas station in Howell Township on the corner of Mason and Burkhart.

John Lowe asked Phil Westmoreland how to handle a situation where a resident has plugged a drain and is flooding another resident's property.

Phil Westmoreland said it is unlawful to obstruct upstream drainage; Marion Township could fix the situation and make the resident responsible for costs incurred. Marion Township cannot be selective; if you do it in one situation you do it in all situations.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the meeting at 9:15 p.m. Jean Root seconded.

Motion Carried 5-0.

**PLANNING COMMISSION
APRIL 22, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON
JAMES L. ANDERSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
PHIL WESTMORELAND, ORCHARD, HILTZ & MCCLIMENT
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:31 p.m.

APPROVAL OF AGENDA

Discussion on Premier Farms Site Plan was added under new business. Jean Root motioned to approve the March 25, 2008 regular meeting agenda as amended. Dave Hamann seconded.

Motion Carried 5-0.

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. All were present.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

March 25, 2008 Regular Meeting minutes

Jean Root motioned to approve the March 25, 2008 regular meeting minutes. Dave Hamann seconded. **Motion Carried 5-0.**

OLD BUSINESS

Proposed General Ordinance – Stormwater Ordinance w/maintenance agreement and Section 6.17 Infrastructure and Concurrency Standards

John Enos submitted text for the proposed General Ordinance. Ken Recker and Rebecca Simpson from Livingston County Drain Commissioners Office (LCDC) have reviewed the proposed

text and maintenance agreement. They said the general ordinance makes it very clear that all construction must meet LCDC standards. Mike Kehoe submitted his comments today and John Enos will amend the text per his comments. Phil Westmoreland has reviewed the text and John Enos has amended the text per his comments.

The Planning Commission members had the following comments and questions.

Section 6.17 Infrastructure and Concurrency Standards

- 1) Section 6.17 should make reference to the General Ordinance
- 2) Subsection C #1 add - requiring site plan review after All development
- 3) Subsection C #4 the first sentence should read – No land improvements shall be constructed which will reduce the quality of service
- 4) The question was asked – how would anyone know?
- 5) Subsection C #6 & #7 – clarify it only applies to private systems

Proposed General Ordinance – Stormwater Ordinance

- 1) Section 4 C – add 'ing' to prevent
- 2) Section 5 – reword first paragraph on page
- 3) Section 9 – Add Private System to heading
- 4) Section 10 B – the phrase 'no longer functioning as designed' is open to interpretation
- 5) Section 13 – Add the State of Michigan next to United States

Stormwater Ordinance maintenance agreement

- 1) Page 1 of 5 item C – what does certain mean?
- 2) Include that the agreement must be recorded

Jean Root motioned to table the Stormwater General Ordinance w/maintenance agreement and Section 6.17 Infrastructure and Concurrency Standards for John Enos to amend all sections related to the storm water ordinance per the comments made tonight and Mike Kehoe's letter dated April 22, 2008 to the May 27, 2008 meeting. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

Proposed Text Amendment – Section 6.14 – Home Occupations

The Planning Commission members reviewed the comments made by the Board of Trustees at their April 7, 2008 meeting. The Planning Commission members discussed item I; small and large engine repair along with metal grinding. The Board of Trustees thought it was too restrictive. The Planning Commission members agreed to delete the word small. The Planning Commission thought Section 6.14 C would cover any nuisance situations. The Planning Commission requested the following changes to the text.

Page 2 of 8 item M; the number of customers, salesmen, or other business visitors shall not create a nuisance

Page 1 of 8 item I; delete the word small

Jean Root motioned to hold a public hearing for Section 6.14 Home Occupations on May 27, 2008 at 7:15 p.m. James L. Anderson seconded. **Motion carried 5-0.**

Status of Existing Residential Subdivision District 1 & 2

Mr. Hanvey and Annette McNamara reviewed the materials and recommended Existing Residential Subdivision District 2 (ERS 2) be removed from the zoning map.

The Planning Commission would like to see ERS 2 show on the zoning map.

Jean Root motioned to have Annette McNamara amend the map for the Planning Commission review at the May 27, 2008 meeting. Dave Hamann seconded. **Motion carried 5-0.**

Proposed Text Amendment – Article VI – General Provisions

The Planning Commission reviewed Section 6.01 through 6.19. They would like the following changes.

Section 6.06 K Medical Reasons – delete the Zoning Board of Appeals from the process
Section 6.06 K Medical Reasons – reword include the words 'original conditions exists'

Jean Root motioned to review Sections 6.20 through 6.29 at the May 27, 2008 meeting. Dave Hamann seconded. **Motion carried 5-0.**

John Lowe report on presentation to the Board of Trustees on Joint Planning with the City of Howell

John Lowe updated the Planning Commission on the discussion with the Board of Trustees. The Board of Trustees supports working with the City of Howell on the few items discussed and on a temporary basis.

NEW BUSINESS:

Proposed Text Amendment Article XV Signs

The Planning Commission members reviewed the Carlisle/Wortman Associates, Inc. memo dated April 9, 2008 on illumination and agreed this text should be incorporated into Article XV.

Debra Wiedman-Clawson asked if we could limit or curtail the use of the sign at Parker High School if it is leased to another entity.

Annette McNamara will ask Mike Kehoe.

The Planning Commission asked that the following amendments be made to the text.

- 1) Add John Enos proposed text to Section 15.04
- 2) Section 15.02 A #1 – Annette McNamara to look into the state law on political signs
- 3) Section 15.02 A #3 – should subdivision and site condominiums be added after use permitted by right?
- 4) Section 15.03 – change the heading to Signs in Highway Service and Light Industrial
- 5) Section 15.03 B – correctly spell the word public and add private roads

Jean Root motioned to table this discussion on signs for Annette McNamara to review and bring suggested amendments to the May 27, 2008 meeting. James L. Anderson seconded. **Motion carried 5-0.**

Howell Area Parks & Recreation Authority Five Year Plan

The Planning Commission members received a flyer from Paula Wyckoff, Treasurer inviting them to participate in the Howell Area Parks & Recreation Authority Five Year Plan workshop on May 14, 2008 from 7:00 p.m. to 9:00 p.m.

Premier Farms Site Plan Review

John Lowe made the Planning Commission members aware of activity on the site that changes the conceptual site plan that was submitted and approved. He would like the applicants to show these areas on the preliminary site plan submittal.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Mr. Harvey gave the Planning Commission an update on the Livingston County Department of Planning (LCDP) review of the proposed definition for Contractor's Storage Yard. The LCDP Planning Commission motioned to encourage further review. It will now go to the Board of Trustees for review and approval and or denial.

Mr. Harvey would like to form an enforcement review committee to discuss the enforcement of the zoning ordinance and other related issues. He would like to see at least one Planning Commission, Board of Trustee and Zoning Board of Appeals member sitting on the committee.

John Enos updated the Planning Commission members on a court case regarding Iosco Township and a proposed Mobile Home Park. He will continue to keep them informed.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the meeting at 10:10 p.m. Jean Root seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
PUBLIC HEARING
MAY 27, 2008**

MEMBERS PRESENT: JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON
JAMES L. ANDERSON

MEMBERS ABSENT: NONE

OTHERS PRESENT: ANNETTE MCNAMARA, ZONING ADMINISTRATOR
LAURA KREPPS, CARLISLE/WORTMAN

CALL TO ORDER

John Lowe called the meeting to order at 7:15 p.m.

APPROVAL OF AGENDA

Dave Hamann motioned to approve the May 27, 2008 public hearing agenda. Jean Root seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. All were present.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

No minutes to approve.

OLD BUSINESS

Proposed Text Amendment – Section 6.14 – Home Occupations

John Lowe opened the call to the public.

Nora Hretz, 2853 Dutcher Road; she has concerns that the language of Section 6.14 item C is

disingenuous and there are many activities that could create conditions that would constitute a nuisance to neighboring property owners. Both she and the person she shares a home with work out of the home and she does not want the proposed language to have a negative affect on their home based occupations.

The Planning Commission clarified the intent of the language. No one thought it would have a negative effect on the current home occupations.

John Lowe closed the call to the public.

John Lowe asked the Planning Commission if they had any comments. Jean Root noted on page 1 of 7 item I; at the last meeting the Planning Commission asked that firearms sales be deleted from the sentence. Also on page 5 of 7 item C; this language is confusing.

The Planning Commission members agreed that item C should read: The Planning Commission may require additional information if it determines the character of the project, site or surrounding conditions necessitates further investigation, allowing it to make a sound decision on the application.

NEW BUSINESS:

No new business

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the public hearing at 7:40 p.m. Debra Wiedman-Clawson seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
REGULAR MEETING
MAY 27, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON
JAMES L. ANDERSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
LAURA KREPPS, CARLISLE/WORTMAN
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:41 p.m.

APPROVAL OF AGENDA

Jean Root motioned to approve the May 27, 2008 regular meeting agenda. James L. Anderson seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. All were present.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

April 22, 2008 Regular Meeting minutes

Jean Root asked that the following corrections be made.

- 1) Page 1 of 4; under approval of agenda, change March 25, 2008 to April 22, 2008
- 2) Page 2 of 4; under Home Occupations add firearms sales to corrections
- 3) Page 2 of 4; under Home Occupation corrections add page 5 of 8 item G, reword to add further investigation after necessitates

Dave Hamann motioned to approve the April 22, 2008 regular meeting minutes as amended.

Debra Wiedman-Clawson seconded. **Motion Carried 5-0.**

OLD BUSINESS

Proposed General Ordinance – Stormwater Ordinance w/maintenance agreement and Section 6.17 Infrastructure and Concurrency Standards

Mike Kehoe reviewed the text and made corrections. The Planning Commission asked that the following corrections be made.

Proposed General Ordinance – Stormwater Ordinance

- 6) Section 5 – reword first paragraph on page 2, This ordinance also applies to any activities requiring Site Plan Approval
- 7) Section 8 – Add Private System to heading

Section 6.17 Infrastructure and Concurrency Standards

- 6) Subsection C #1 add – John Lowe has concerns with the text 'discharge without any impact on adjacent lands' he will discuss this with Phil Westmoreland
- 7) Subsection C #2 add 'standards and State of Michigan standards' to the end of the sentence
- 8) Subsection C #4 remove the word 'quality'
- 9) Subsection C #7 cross reference the Stormwater General Ordinance and Maintenance Agreement

Jean Root motioned to table the Stormwater General Ordinance w/maintenance agreement and Section 6.17 Infrastructure and Concurrency Standards to the June 24, 2008 meeting when the Planning Commission will review a clean copy per tonight's discussion. James L. Anderson seconded. **Motion carried 5-0.**

Proposed Text Amendment – Section 6.14 – Home Occupations

The Planning Commission would like the changes discussed at the public hearing to be incorporated into the text.

Jean Root motioned to send the following sections listed below to Livingston County Department of Planning for its review and comment. If no significant changes are requested then send on to the Board of Trustees for its review and approval/denial.

- 1) Section 3.02 Definition for Home Occupation Class I and Home Occupation Class II
- 2) Section 6.07 Accessory Uses and Structures
- 3) Section 6.14 Home Occupation Class I
- 4) Section 8.01 C #3 Rural Residential - Permitted Accessory Uses,
- 5) Section 8.01 E #20 Rural Residential - Uses Permitted by Special Use Permit
- 6) Section 8.02 C #2 Suburban Residential - Permitted Accessory Uses

- 7) Section 8.02 E #14 Suburban Residential - Uses Permitted by Special Use Permit
- 8) Section 8.03 C #2 Urban Residential - Permitted Accessory Uses
- 9) Section 8.04 C #2 Existing Residential Subdivision District - Permitted Accessory Uses
- 10) Section 8.05 B #5 Manufactured Home Park - Principal Uses Permitted
- 11) Section 15.02 D Signs in Residential Districts
- 12) Section 17.32 Home Occupation Class II.

Dave Hamann seconded. **Motion carried 5-0.**

Status of Existing Residential Subdivision District 1 & 2

The Planning Commission reviewed the map and is satisfied.

Jean Root motioned to hold a public hearing on June 24, 2008 for the Marion Township Official Zoning Map at 7:15 p.m. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

Proposed Text Amendment – Article VI – General Provisions

The Planning Commission reviewed the changes to Section 6.06. They would like the following changes.

- 1) Page 4 of 39 6.06 item K; remove the note
- 2) Page 4 of 39 6.06 items I & J; send to Mike Kehoe for his comments on removing these items

The Planning Commission reviewed Section 6.20 through 6.29 and agreed with Mike Kehoe suggestions. A review of Section 6.27 should be done to update references to publications. The Planning Commission would like to work on that separate from Article VI.

Jean Root motioned to hold a public hearing on Article VI minus Section 6.27, on June 24, 2008 at 7:15 p.m. James L. Anderson seconded. **Motion carried 5-0.**

Proposed Text Amendment Article XV Signs

The Planning Commission reviewed the proposed amendments to signs and requested the following changes.

- 1) Page 1 of 5 – Section 3.02 definitions; add Billboard definition as item #1 and delete the highway Advertising Act PA 106 of 1972 and add State of Michigan Department of Transportation
- 2) Page 1 of 5 – Section 3.02 definitions; delete billboard and replace with wall sign
- 3) Page 1 of 5 – Section 3.02 definitions; keep definitions for freestanding signs and portable signs
- 4) Page 2 of 5 – Section 15.03 C Vehicular Safety; delete visible and add illuminate
- 5) Page 2 of 5 – Section 15.03 – items D, E & F to be sent to John Enos for his review and comment on whether the size is too excessive
- 6) Page 3 of 5 – Section 15.04 B, C & D to be sent to Mike Kehoe for his review and comment
- 7) Page 3 of 5 – Section 15.04 C – there is a typo add the letter e to use

Jean Root motioned to table Article XV Signs and any other related information on signs to the June 24, 2008 meeting. All corrections to be made and comments from Mike Kehoe and John Enos to be included in package. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

NEW BUSINESS:

No new business

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the meeting at 10:00 p.m. Debra Wiedman-Clawson seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
PUBLIC HEARING
JUNE 24, 2008**

MEMBERS PRESENT: JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON

MEMBERS ABSENT: JAMES L. ANDERSON

OTHERS PRESENT: ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN

CALL TO ORDER

John Lowe called the meeting to order at 7:15 p.m.

APPROVAL OF AGENDA

Dave Hamann motioned to approve the June 24, 2008 public hearing agenda. Jean Root seconded. **Motion Carried 4-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. James L. Anderson was absent.

CALL TO THE PUBLIC

John Lowe opened the call to the public.
No response.
John Lowe closed the call to the public.

APPROVAL OF MINUTES

No minutes to approve.

OLD BUSINESS

Proposed Zoning Map Amendment – Section 7.03 Replacement of Official Zoning Map

John Lowe opened the call to the public.
No response.
John Lowe closed the call to the public.
John Lowe asked the Planning Commission if they had any comments.

Debra Wiedman-Clawson has a list of corrections to be made to the map.

Some of the corrections cannot be made to the map until the properties are rezoned. The rezoning process would take about six months and the township would like to adopt the map in a timely fashion.

The changes consist of:

- 1) Parker High School designated as Public Land
- 2) Marion Township Park #1 zoned as Public Land
- 3) Marion Township cemeteries as Public Land
- 4) Crystal Wood Site Condominium zoned as Suburban Residential
- 5) Blossom Farms Cemetery zoned as Public Land (if not part of the Site Condominium)

- 6) Mitch Harris Property east of Peavy Road zoning designation color needs to be corrected
- 7) Existing Residential Subdivision District #1 & #2, change the color of one so it is easy to distinguish

The Planning Commission agreed to fix the mechanical issues now.

Proposed Text Amendment – Article VI – General Provisions – Except Section 6.27 Wellhead Protection and Hazardous Substance Overlay Zone

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

John Lowe asked the Planning Commission if they had any comments.

No comments were made.

NEW BUSINESS:

No new business

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the public hearing at 7:29 p.m. Jean Root seconded.

Motion Carried 4-0.

**PLANNING COMMISSION
REGULAR MEETING
JUNE 24, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON

MEMBERS ABSENT:

JAMES L. ANDERSON

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA

The following items were added under New Business.

- 1) Public Act 33
- 2) Discussion on Parker High School
- 3) Discussion on the Land Division General Ordinance

Dave Hamann motioned to approve the June 24, 2008 regular meeting agenda as amended.

Jean Root seconded. **Motion Carried 4-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. James L. Anderson was absent.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Terry Fassero, 1400 Pingree Road. The Premier Farms ingress/egress on the south west corner of the development empties out in front of his home and he would like to see this changed. When can he express his concerns to the developer?

John Enos said he is in the process of reviewing the preliminary plan and will discuss this in his review.

The Planning Commission members asked Mr. Fassero to continue to look at the Planning Commission agendas on the Marion Township web site for Premier Farms Preliminary Review and attend the meeting.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

May 27, 2008 Public Hearing minutes

Debra Wiedman-Clawson asked Annette McNamara to check the spelling of Nora Hretz. Dave Hamann motioned to approve the May 27, 2008 Public Hearing minutes. Jean Root seconded.

Motion Carried 4-0.

May 27, 2008 Regular Meeting minutes

Jean Root noted on page one of one, under the April 22, 2008 minutes approval, remove the word add under #2, firearms sales. Dave Hamann motioned to approve the May 27, 2008 regular meeting minutes as amended. Jean Root seconded.

Motion Carried 4-0.

OLD BUSINESS

Proposed General Ordinance – Stormwater Ordinance w/maintenance agreement Section 6.17 Infrastructure and Concurrency Standards

The Planning Commission requested amendments to this text at the May 27, 2008 meeting, yet they did not receive the amended copy in their packages.

Jean Root motioned to table the Stormwater General Ordinance w/maintenance agreement to the July 22, 2008 meeting. Dave Hamann seconded. **Motion carried 4-0.**

Section 6.17 Infrastructure and Concurrency Standards

The Planning Commission requested the following changes to the text.

C #1; add the word increase to read, without any increased impact on adjacent lands

C #6; delete in its entirety

The Planning Commission would like to move this agenda item along with the Stormwater General Ordinance.

Jean Root motioned to table Section 6.17 Infrastructure and Concurrency Standards to the July 22, 2008 meeting. Dave Hamann seconded. **Motion carried 4-0.**

Status of Existing Residential Subdivision District 1 & 2

The Planning Commission reviewed the map and requested the following changes prior to the Board of Trustees review and approval.

- 8) Crystal Wood Site Condominium zoned as Suburban Residential

- 9) Mitch Harris Property east of Peavy Road needs to be corrected
- 10) Existing Residential Subdivision District (ERS) #1 & #2, change the color of one so it is easy to distinguish

The changes below will be made as soon as the Planning Commission can address

- 11) Parker High School designated as Public Land
- 12) Marion Township Park #1 zoned as Public Land
- 13) Marion Township cemeteries
- 14) Blossom Farms cemetery zoned as Public Land (if not part of the Site Condominium)

Jean Root motioned to send the Marion Township Official Zoning Map to the Board of Trustees with corrections, Mitch Harris Property, color change for ERS #1 and Crystal Wood zoning color designation for review and approval/denial. Dave Hamann seconded. **Motion carried 4-0.**

Proposed Text Amendment – Article VI – General Provisions

The Planning Commission reviewed the changes to Article VI General Provision. They would like the following changes made prior to sending to the Board of Trustees for review and comment.

Delete Section 6.06 items I & J

Jean Root motioned to send Article VI minus Section 6.27 Wellhead Protection Overlay Zone to the Board of Trustees for review and comment, if there are no comments send on to the Livingston County Department of Planning for review and comment. Dave Hamann seconded. **Motion carried 4-0.**

Proposed Text Amendment Article XV Signs

The Planning Commission discussed this article at length and agreed to have John Enos provide text from Canton and City of Livonia Zoning Ordinance for the July 22, 2008 meeting.

Jean Root motioned to table Article XV Signs to the July 22, 2008 meeting, John Enos to provide text from other communities. Debra Wiedman-Clawson seconded. **Motion carried 4-0.**

NEW BUSINESS:

Public Act 33

John Enos summarized the changes that the Planning Commission will have to make by September 1, 2008. He would like to provide the Planning Commission with the changes by the August 26, 2008 meeting.

Land Division General Ordinance

John Enos noted there has been concern regarding parent parcels. On March 30, 1997 parent parcels were created and that is ground zero. He gave the Planning Commission a handout depicting what splits are available for the parcel size ten years after March 30, 1997. He does not think that Marion Township should be concerned about flag lots splitting a second time; it should not be an issue. John Enos, Dave Hamann and Mr. Hanvey are working on the Land Division General Ordinance and will ask Mike Kehoe to give his input.

Parker High School

Jean Root would like to know what the Howell Public Schools is planning for Parker High School now that it is vacant.

John Enos suggested the Planning Commission and Board of Trustees write a letter to Howell Public Schools stating their concern for long term planning of the community and ask as a courtesy to keep Marion Township informed of their plans.

Annette McNamara will ask Tammy Beal to place this on the Board of Trustees July 10, 2008 agenda.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Mr. Harvey informed the Planning Commission he has placed two thousand dollars in the Planning Commission budget to update the Comprehensive Plan.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the meeting at 9:20 p.m. Debra Wiedman-Clawson seconded. **Motion Carried 4-0.**

**PLANNING COMMISSION
REGULAR MEETING
JULY 22, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
JAMES L. ANDERSON
DEBRA WIEDMAN-CLAWSON

MEMBERS ABSENT:

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
PHIL WESTMORELAND, ORCHARD, HILTZ & MCCLIMENT
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:37 p.m.

APPROVAL OF AGENDA

Dave Hamann motioned to approve the July 22, 2008 regular meeting agenda. Jean Root seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

June 24, 2008 Public Hearing minutes

Dave Hamann motioned to approve the June 24, 2008 public hearing minutes. Jean Root seconded. **Motion carried 4-0.** James L. Anderson abstained.

June 24, 2008 Regular Meeting minutes

Dave Hamann motioned to approve the June 24, 2008 regular meeting minutes. Jean Root seconded. **Motion Carried 4-0.** James L. Anderson abstained.

OLD BUSINESS

Lucy Road, LLC Site Plan Review – located in the Highway Service District on the west side of Lucy Road – Tax ID# 4710-01-200-024 – Proposed Use; Contractor Storage Yard

David LeClair, Livingston Engineering is here tonight to inform the Planning Commission of Vern Brockway's intent to lease the Lucy Road, LLC property and use it as a contractor storage yard. He will be the only contractor using the property for storage. Mr. Brockway has submitted an application to the Zoning Board of Appeals to request variances. These will include the front yard set back and side yard set back requirement.

The Planning Commission was not satisfied with the site plan submitted, the use proposed by Mr. Brockway is different than the use proposed by Frank Lover. The Planning Commission members would like the applicant to resubmit with additional information and a site narrative. This does not have to be a detailed plan, more in the form of a bubble conceptual.

Vern Brockway agreed to submit another site plan. He assured the Planning Commission that activity along the North side of the property will be limited due to the electrical wires. He also told the Planning Commission he would need latitude to make adjustments. He wants these rules to apply as long as the property to the North is used as residential, once it is sold and reverts to commercial it is a different story.

The Planning Commission would like to see the following information with the next submittal.

- 1) Letter from the owner of the property giving Vern Brockway permission to use the property
- 2) Proposed uses
- 3) Circulation
- 4) Employee parking (if any)
- 5) 50' of the asphalt millings along the East side of the property removed
- 6) Show uses within 200' around the site
- 7) Hours of operation
- 8) Address the storm water runoff
- 9) Height issues
- 10) Section 6.13 B 25' Greenbelt buffer
- 11) Section 6.25 Sidewalks
- 12) Section 14.04 B & D and 14.05 C (Parking and Loading Requirements)

Jean Root motioned to table Lucy Road, LLC until the applicant submits a site plan. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

Proposed General Ordinance – Stormwater Ordinance w/maintenance agreement Section 6.17 Infrastructure and Concurrency Standards

The Planning Commission members reviewed the document and discussed a few minor changes. They would like to keep the general ordinance language with Section 6.17, Infrastructure and Concurrency Standards as the zoning ordinance and the general ordinance language relate to one another.

Phil Westmoreland, 2995 Sunset Meadow. On page 3 of 6 in Section 7 of the maintenance agreement, this will place a significant burden on Home Owners Associations.

John Lowe will contact Mike Kehoe to discuss placing owner within the maintenance agreement so it would read 'owner/developer' and to clarify this language enables Marion Township to take over maintenance if necessary.

Annette McNamara will change the year 200_ to 20__.

Jean Root motioned to table the Stormwater General Ordinance and maintenance agreement.

Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

Section 6.17 Infrastructure and Concurrency Standards

The Planning Commission members reviewed the document and have no further changes to request.

Jean Root motioned to hold a public hearing for Section 6.17 Infrastructure and Concurrency Standards on August 26, 2008 at 7:15 p.m. Dave Hamann seconded. **Motion carried 5-0.**

Proposed Text Amendment Article XV Signs

John Enos summarized the reason behind the proposed changes to signage, he asked the Planning Commission to review the language within the next month and let him know at the August meeting if this is something the Planning Commission would like work on.

Jean Root motioned to table Article XV Signs to the August 26, 2008 meeting. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

Proposed Amendment – Section 00.00 Wind Energy Conversion Systems

John Enos summarized the wind energy language and told the Planning Commission he is more concerned with large scale operations and this language can be helpful even if Senate Bill 213 preempts local zoning authority.

John Lowe told the Planning Commission he had heard the federal government would like to make installation requirements uniform across the United States.

Jean Root motioned to table this agenda item to the August 26, 2008 meeting. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

NEW BUSINESS:

Marion Oaks Site

The Planning Commission discussed the newspaper article regarding St. Joseph Mercy Hospital possible move to Marion Township.

The Planning Commission members have concerns with the following.

- 1) Traffic
- 2) Noise
- 3) Need for additional Doctor Offices
- 4) Need for additional parcels zoned Highway Service

Mr. Hanvey asked the Planning Commission to nominate two of the members to attend a meeting along with three Board of Trustees members, John Enos and the St. Joseph Mercy representatives. John Lowe and Jean Root agreed to attend.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

ADJOURNMENT

Jean Root motioned to adjourn the meeting at 9:50 p.m. James L. Anderson seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
PUBLIC HEARING
AUGUST 26, 2008**

MEMBERS PRESENT: JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
DEBRA WIEDMAN-CLAWSON
JAMES L. ANDERSON

MEMBERS ABSENT: NONE

OTHERS PRESENT: ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:15 p.m.

APPROVAL OF AGENDA

Dave Hamann motioned to approve the August 26, 2008 public hearing agenda. Jean Root seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves.

CALL TO THE PUBLIC

John Lowe opened the call to the public.
No response.
John Lowe closed the call to the public.

APPROVAL OF MINUTES

No minutes to approve.

OLD BUSINESS

Section 6.17 Infrastructure and Concurrency Standards

John Lowe opened the call to the public
No response.
John Lowe closed the call to the public.
John Lowe asked the Planning Commission if they had any comments.

John Enos item #4 and said the text is confusing, he asked the Planning Commission members if they would consider removing it.

James L. Anderson read the text out loud and said it made sense to him.

John Lowe asked the Planning Commission members to wait until Phil Westmoreland arrived, and they could get his opinion.

The Planning Commission agreed.

NEW BUSINESS:

No new business.

CALL TO THE PUBLIC

John Lowe opened the call to the public.
No response.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the public hearing at 7:30 p.m. James L. Anderson seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
AUGUST 26, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
JAMES L. ANDERSON
DEBRA WIEDMAN-CLAWSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
PHIL WESTMORELAND, ORCHARD, HILTZ & MCCLIMENT
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA

Jean Root asked to place discussion regarding the letter from Saint Joseph Mercy Hospital under new business item #2.

Dave Hamann motioned to approve the August 26, 2008 regular meeting agenda as amended. James L. Anderson seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves.

CALL TO THE PUBLIC

John Lowe opened the call to the public.
No response.
John Lowe closed the call to the public.

APPROVAL OF MINUTES

July 22, 2008 Regular Meeting minutes

Dave Hamann motioned to approve the July 22, 2008 regular meeting minutes. Jean Root seconded. **Motion Carried 5-0.**

OLD BUSINESS

Lucy Road, LLC Site Plan Review – located in the Highway Service District on the west side of Lucy Road – Tax ID# 4710-01-200-024 – Proposed Use; Contractor Storage Yard

David Bittner, Attorney told the Planning Commission the Marion Township Zoning Board of Appeals approved three of the five variances requested and the remaining two were dropped. The applicant has submitted a revised site plan with the information requested by the Planning Commission at the July 22, 2008 meeting.

John Enos said the applicant did provide the necessary information on the site plan and he is recommending preliminary approval. He felt that the elevations and existing vegetation on the west and south side of the site provide sufficient buffering and meets the spirit and intent of the zoning ordinance.

John Lowe told the Planning Commission that he has met with the Hansen's on site to discuss the proposed buffering. They discussed keeping the existing fence and adding 2' of lattice on top. The cement pad to the west of the Hansen's property line is dangerous. He would like to see this removed and the soil leveled, then remaining fence panels will be installed, the applicant agreed to install the panels and lattice. Further west the north property line abuts the Promenade Mall property. The property slope upward and there is no need for buffering. He asked Jeff Hansen if this was acceptable to him. Jeff Hansen agreed.

John Lowe asked the Planning Commission member if there were any other thoughts on the north property line.

Vern Brockway stated he will add a drive along the north property line to move storage away from the property line.

Jean Root asked who would be responsible for maintenance of the fence.

David Bittner said it would be Mr. Hansen unless he provides an easement for maintenance.

Debra Wiedman-Clawson said it would be ill advised to reduce the landscape buffer, if a future change may occur that would require landscaping to buffer the site. She felt the Zoning Board of Appeals was in violation of the zoning ordinance.

John Lowe said that he discussed the Zoning Board of Appeals case with the township attorney and he would have told him if it was not appropriate.

Vern Brockway told the Planning Commission he would be opposed to a wooden fence along the east property line along Lucy Road. It would encourage theft.

John Enos noted that 10 trees along the east property line would work a mix of evergreen and deciduous. He asked that the applicant submit a revised plan showing this.

Jean Root is concerned with the variance on the buffering. The Zoning Board of Appeals motioned that the variance will be void if a building is placed on the site. In twenty years if someone decides to put up a building and none of us are around how will the then staff know the variance is voided?

There was no answer for this question.

Phil Westmoreland told the Planning Commission he has reviewed the plan and has only one issue. He would like to see the detention basin resized to accommodate the additional 9/10ths of an acre going to the basin.

Vern Brockway said the Livingston County Drain Commissioners Office would like an overflow pipe.

Phil Westmoreland said he would prefer a swale, the water will move easier and slower.

Jean Root motioned to recommend approval of the preliminary site plan dated August 18, 2008,

Tax ID# 4710-01-200-024, Lucy Road, LLC for the proposed use. The site plan will go to the Board of Trustees for preliminary review with the following conditions.

- 1) Include the August 11, 2008 Zoning Board of Appeals minutes
- 2) Carlisle/Wortman Associates, Inc. review letter dated August 19, 2008
- 3) Orchard, Hiltz & McCliment, Inc. review letter dated August 20, 2008
- 4) Install the landscaping and include on the site plan
- 5) Remove and replace the chain link fence along east property line/Lucy Road
- 6) Add 2' of lattice to the Hansen's existing wooden fence up to the iron property line marker (applicants' responsibility)
- 7) Remove the concrete pad and level to natural grade (applicants' responsibility)
- 8) Install remaining wooden fence panels (applicants' responsibility)
- 9) Minimize parking along the north property line
- 10) Add a 25' landscape buffer on the site plan along the Promenade Mall property line
- 11) Remove the dead trees along the east property line and replace with trees per the landscaping plan

James L. Anderson seconded. **Roll Call; Jean Root-yes, James L. Anderson-yes, John Lowe-yes, Dave Hamann-yes, Debra Wiedman-Clawson-no. Motion Carried 4-1.**

Proposed General Ordinance – Stormwater Ordinance w/maintenance agreement
Section 6.17 Infrastructure and Concurrency Standards

The Planning Commission reviewed the text and had the following suggestions.

- 1) Send the text to Mike Kehoe, Township Attorney and ask him to review Section 8 on page 2 of 5.

Jean Root motioned to table the Stormwater General Ordinance and maintenance agreement to the September 23, 2008 meeting. James L. Anderson seconded. **Motion carried 5-0.**

Section 6.17 Infrastructure and Concurrency Standards

The Planning Commission members reviewed the document and asked Phil Westmoreland to comment on item #4.

Phil Westmoreland said that it makes sense and he would like it to remain in the text.

Jean Root motioned to send Section 6.17 Infrastructure and Concurrency Standards to the Board of Trustees for preliminary review and comment then return to the Planning Commission. Dave Hamann seconded. **Motion carried 5-0.**

Proposed Text Amendment Article XV Signs

John Enos told the Planning Commission that this will take some time to walk through. He suggested a committee be formed to work on the language then bring it to the Planning Commission.

John Enos, Annette McNamara and Debra Wiedman-Clawson will meet and work on the text.

Jean Root motioned to table Article XV Signs until the committee requests placement on an agenda. James L. Anderson seconded. **Motion carried 5-0.**

Proposed Amendment – Section 00.00 Wind Energy Conversion Systems

The Planning Commission members agreed to set this aside until the State of Michigan Legislator takes action.

Jean Root motioned to table this agenda item until further notice. Dave Hamann seconded. **Motion carried 5-0.**

Public Act 33

John Enos told the Planning Commission that this act will have two changes the Planning Commission needs to address, Livingston County Department of Planning notification of text amendments and Capitol Improvement Plans. The Planning Commission will have to review the Planning Commission Rules and Procedures for possible amendments.

John Enos would like to discuss the Capitol Improvement Plan requirement with Mike Kehoe and he will contact the Livingston County Road Commission to get ideas. He will bring specific changes to the regular October meeting.

Jean Root motioned to table this agenda item to the October 28, 2008 meeting. Dave Hamann seconded. **Motion carried 5-0.**

NEW BUSINESS:

Proposed Text Amendments - Section 3.02 amend definition of Hospital, Section 6.08 One Building to a Lot, Section 8.02 E add #14 Hospitals, Section 17.17 Hospitals

The Planning Commission discussed the proposed text amendments and would like the following changes.

- 2) Section 3.02 definition of Hospital; add campus complex to the first line
- 3) Section 17.17 B #2 delete 25% and add 35%
- 4) Section 17.17 B #5 add primary to the beginning of the sentence
- 5) Section 17.17 C #1 delete five fee and add six feet
- 6) Section 17.17 E delete in its entirety

Jean Root motioned to schedule a public hearing for Section 3.02 amend definition of Hospital, Section 6.08 One Building to a Lot, Section 8.02 E add #14 Hospitals, Section 17.17 Hospitals at 7:15 p.m. on September 23, 2008. James L. Anderson seconded. **Motion carried 5-0.**

Saint Joseph Mercy letter to the neighbors

Jean Root informed the audience that the Planning Commission asked the representative to keep everyone involved, including the residents and this letter is doing just that.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Charles Musson, 333 Triangle Lake Road; he is having a problem with a resident in the adjoining development cutting down the existing trees/buffering. He does not want the Planning Commission to require additional buffer plantings if the existing ones were cut down by the neighbor.

John Lowe closed the call to the public.

ADJOURNMENT

Jean Root motioned to adjourn the meeting at 9:40 p.m. James L. Anderson seconded. **Motion Carried 5-0.**

PLANNING COMMISSION PUBLIC HEARING SEPTEMBER 23, 2008

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY

MEMBERS ABSENT: DEBRA WIEDMAN-CLAWSON
OTHERS PRESENT: JAMES L. ANDERSON
NONE
ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:15 p.m.

APPROVAL OF AGENDA

Dave Hamann motioned to approve the August 26, 2008 public hearing agenda. James L. Anderson seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Mr. Hanvey informed the Planning Commission he has spoken with Jim Reed, Howell Area Fire Authority, Mr. Reed said the State Code is rigorous and hospitals are designed for horizontal evacuation. The Howell Area Fire Authority does not have an issue with the number of stories.

Debra Wiedman-Clawson read 17.17 #4.

John Enos is comfortable with removing item #3 from Section 17.17 and relying on #4 that implies a hospital can exceed two stories.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

No minutes to approve.

OLD BUSINESS

Proposed Text Amendments - Section 3.02 amend definition of Hospital, Section 6.08 One Building to a Lot, Section 8.02 E add #14 Hospitals, Section 17.17 Hospitals

John Lowe opened the call to the public

Jeff Barber, 840 Wright Road – is concerned with access off of Wright Road and Helicopter Landing Pads. He asked if anyone has seen the plans. He asked if Marion Township can deny the use.

John Enos assured Mr. & Mrs. Barber there would be more than one opportunity for the public to see the plans and give input. Marion Township cannot deny the use if it meets the requirements in the Zoning Ordinance, because it is a special use Marion Township can make requests to protect the residents.

Mrs. Barber, 840 Wright Road – asked if hospitals are exempt from taxes. John Enos said that is a question for the assessor.

John Lowe closed the call to the public.

John Lowe asked the Planning Commission if they had any comments.

The Planning Commission reviewed Mike Kehoe letter and agreed to remove the letter 's' from hospitals in Section 8.02 E #15.

They discussed the 20' setback increase for every story above two. The setback was increased to 50'.

NEW BUSINESS:

No new business.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the public hearing at 7:45 p.m. Jean Root seconded.

Motion Carried 5-0.

**PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 23, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY
JAMES L. ANDERSON
DEBRA WIEDMAN-CLAWSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
PHIL WESTMORELAND, ORCHARD, HILTZ & MCCLIMENT
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:47 p.m.

APPROVAL OF AGENDA

Dave Hamann motioned to approve the August 26, 2008 regular meeting agenda. Jean Root seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

August 26, 2008 Public Hearing minutes

Dave Hamann motioned to approve the August 26, 2008 public hearing minutes. James L. Anderson seconded. **Motion Carried 5-0.**

August 26, 2008 Regular Meeting minutes

Jean Root asked to have 'applicant agreed to install panel and lattice' on page 2 of 2.

Debra Wiedman-Clawson asked to have her statement reworded on page 2 of 2.

Dave Hamann motioned to approve the August 26, 2008 regular meeting minutes as amended. Jean Root seconded. **Motion Carried 5-0.**

OLD BUSINESS

Lucy Road, LLC Site Plan Review – located in the Highway Service District on the west side of Lucy Road – Tax ID# 4710-01-200-024 – Proposed Use; Contractor Storage Yard

David Bittner, Attorney told the Planning Commission the site plan submitted for tonight's meeting has the changes the Planning Commission requested at the August 26, 2008 meeting and they have received preliminary approval from the Board of Trustees. The agreement with Jeff and Kelly Hansen has not been completed.

John Enos said the applicant has done a good job and he is satisfied with the plan.

The Planning Commission reviewed the plan and asked for the following changes.

- 1) Move the two trees on the north east corner to the south
- 2) Make a note on site plan the cyclone fence along north west property line will be fixed
- 3) Seed around detention pond
- 4) Show plantings to the north of entrance
- 5) Add six employee parking spaces along fence line for a total of twelve

Jean Root motioned to recommend approval of the final site plan, Tax ID# 4710-01-200-024, Lucy Road, LLC for the proposed use. The site plan will go to the Board of Trustees for final review with the following conditions.

- 12) Carlisle/Wortman Associates, Inc. review letter dated September 17, 2008
- 13) Orchard, Hiltz & McCliment, Inc. review letter dated September 17, 2008
- 14) Alter plantings on n/e corner
- 15) Provide signed agreement from Jeff and Kelly Hansen
- 16) Necessary repairs to cyclone fence on n/w corner of lot once grass is established
- 17) Show twelve employee parking spaces on plans
- 18) Show rip rap at swale on site plan if Orchard, Hiltz & McCliment, Inc. requires
- 19) Additional plantings north of entrance

Dave Hamann seconded. **Roll Call; Jean Root-yes, James L. Anderson-yes, John Lowe-yes, Dave Hamann-yes, Debra Wiedman-Clawson-yes. Motion Carried 5-0.**

Proposed General Ordinance – Stormwater Ordinance w/maintenance agreement Section 6.17 Infrastructure and Concurrency Standards

Amendments requested by Mike Kehoe in his April 22, 2008 letter have been made to the text. The Planning Commission will need time to review these changes.

Debra Wiedman-Clawson motioned to table the Stormwater General Ordinance and maintenance agreement to the October 28, 2008 meeting. James Anderson seconded. **Motion carried 5-0.**

Section 6.17 Infrastructure and Concurrency Standards

This amendment will be reviewed with the Stormwater language.

John Lowe would like the Livingston County Drain Commissioners Office to review the General

Ordinance and Zoning Ordinance before the next meeting.

Debra Wiedman-Clawson motioned to table Section 6.17 Infrastructure and Concurrency Standards to the October 28, 2008 meeting. James L. Anderson seconded. **Motion carried 5-0.**

Proposed Text Amendments - Section 3.02 amend definition of Hospital, Section 6.08 One Building to a Lot, Section 8.02 E add #14 Hospitals, Section 17.17 Hospitals

The Planning Commission discussed the proposed text amendments.

There was discussion on access from Wright Road, the Planning Commission agreed this is a design issue and tonight they are reviewing proposed changes to the text.

Jean Root motioned to send Section 3.02 amend definition of Hospital, Section 6.08 One Building to a Lot, Section 8.02 E add #14 Hospitals, Section 17.17 Hospitals, with corrections dated 9-23-08 to the Board of Trustees for review and comment or approval. James L. Anderson seconded. **Motion carried 5-0.**

NEW BUSINESS:

No new business.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Dave Hamann asked John Enos if it is still the policy to hold a second public hearing if significant changes have been made to the text.

John Enos said yes, he does not think the changes made tonight were significant.

John Enos updated the Planning Commission on the joint meeting between Marion Township and the City of Howell on October 29, 2008. He will submit an agenda for the Planning Commission to review at the October 28, 2008 meeting.

John Lowe would like to see a time frame added to the letter of credit page 3 of 6 in the Stormwater maintenance agreement.

Debra Wiedman-Clawson informed the Planning Commission the second lift has been installed at Fox Meadows.

Annette McNamara asked Debra Wiedman-Clawson if she could find out when the second lift will be installed at the Meadows.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the meeting at 8:40 p.m. Jean Root seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
OCTOBER 28, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
DAVE HAMANN, CO-CHAIRPERSON
JEAN ROOT, SECRETARY

MEMBERS ABSENT:
OTHERS PRESENT:

JIM MURRAY
DEBRA WIEDMAN-CLAWSON
NONE
ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN ENOS, CARLISLE/WORTMAN
PHIL WESTMORELAND, ORCHARD, HILTZ & MCCLIMENT
ROBERT W. HANVEY, SUPERVISOR
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA

Dave Hamann motioned to approve the October 28, 2008 regular meeting agenda. Jean Root seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

September 23, 2008 Public Hearing minutes

Dave Hamann motioned to approve the September 23, 2008 public hearing minutes. Jean Root seconded. Jim Murray abstained. **Motion Carried 4-0.**

September 23, 2008 Regular Meeting minutes

Jean Root noted a typo on page 2 of 4. Annette McNamara corrected it. Dave Hamann motioned to approve the September 23, 2008 regular meeting minutes. Jean Root seconded. Jim Murray abstained. **Motion Carried 4-0.**

OLD BUSINESS

**Proposed General Ordinance – Stormwater Ordinance w/maintenance agreement
Section 6.17 Infrastructure and Concurrency Standards**

Ken Recker, Deputy Drain Commissioner, of the Livingston County Drain Commissioners Office sent his comments on the morning of the Planning Commission meeting.

The Planning Commission would like to review the comments over the next month. They would like Mike Kehoe to review and comment for the November 25, 2008 meeting.

Phil Westmoreland has reviewed the comments and does not believe it will change the intent of the text. He recommended Mike Kehoe review Section 6 of the General Ordinance and the amount indicated for the bond.

Jean Root motioned to table the Stormwater General Ordinance and maintenance agreement to the November 25, 2008 meeting. Dave Hamann seconded. **Motion carried 5-0.**

Section 6.17 Infrastructure and Concurrency Standards

Ken Recker, Deputy Drain Commissioner, of the Livingston County Drain Commissioners Office sent his comments on the morning of the Planning Commission meeting.

The Planning Commission would like to review the comments over the next month. They would like Mike Kehoe to review and comment for the November 25, 2008 meeting.

Jean Root would like Mike Kehoe to comment on the need for an additional public hearing on this language since there have been many changes since the original public hearing.

Jean Root motioned to table Section 6.17 Infrastructure and Concurrency Standards to the November 25, 2008 meeting. Dave Hamann seconded. **Motion carried 5-0.**

NEW BUSINESS:

Caverly Special Use Permit review – located in the Suburban Residential District on the west side of Pinckney Road – Tax ID# 4710-11-400-005 – proposed use; Home Occupation II

John Enos summarized his review letter. This project meets the standards and with additional requirements he feels this is reasonable and appropriate for a Home Occupation II. Conditions will be attached to minimize potential impacts to the neighbors. A violation of the conditions will result in a revocation of the special use permit.

Due to the nature of this use, Jean Root would like to have the Howell Area Fire Authority and Phil Westmoreland to review the plan.

Dave Hamann asked if the applicant is going to the Zoning Board of Appeals to request a front yard set back variance.

The answer is yes, the Zoning Board of Appeals motion will determine if the applicant can move forward or amend the site plan.

Jean Root informed the applicant of their responsibility to contact Marion Township in the event the variance request is denied.

Jean Root motioned to hold a public hearing at 7:15 p.m. on November 25, 2008 for Tax ID # 4710-11-400-005, Roy Caverly Special Use request for a Home Occupation II. Dave Hamann seconded. **Motion carried 5-0.**

Public Act 33 – Consolidation of Planning Acts

John Enos informed the Planning Commission that he and Annette McNamara have discussed the potential changes to the Zoning Ordinance. He does not think many changes will have to be made.

Jean Root motioned no action taken at this time. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

Review October 29, 2008 Joint Committee Agenda for meeting with City of Howell

John Enos updated the Planning Commission members on the agenda items for this meeting. He discussed the manufactured housing letter from Carlisle/Wortman Associates, Inc. and Mike Kehoe. He stressed to the Planning Commission that anything discussed will come back to the Planning Commission for comments. Any items needing approval will be sent to the Marion Township Board of Trustees.

Marion Township Park #2 – Preliminary Site Plan Review

John Lowe presented the plan to the Planning Commission. The detention pond was completed and the work was donated by the Local Operating Engineers. John Lowe has met with Mike Goryl,

Livingston County Road Commission to discuss the intersection of County Farm Road and W. Coon Lake Road. The pond area has a clay base and will hold water throughout the winter, this can be used by residents for ice skating. The bowl area on the site can be used for sledding. There will be a walking path and additional parking area that can be used for overflow parking during an election.

The Planning Commission would like clarity on where the line is drawn with parks owned and operated by Marion Township and the agreement with the Howell Area Park Authority.

John Lowe said plans will be submitted to the Planning Commission around February 2009.

James L. Anderson, Planning Commissioner resignation

John Lowe informed the Planning Commission members of James L. Anderson’s resignation letter. He would like to send a letter of appreciation to Jim and thank him for his time and effort.

Tonight is Dave Hamanns’ last meeting as a Board of Trustees representative. The Planning Commission thanked Dave for his time and effort.

The Planning Commission welcomed Jim Murray as a new Planning Commission member who has taken James L. Anderson’s position.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

John Enos informed the Planning Commission members of the memo in their packages on a Neighborhood Commercial District. This is just a thought and does not have to be acted on.

Jean Root asked that the Annual Organizational Meeting be added to the November 25, 2008 agenda.

John Lowe closed the call to the public.

ADJOURNMENT

Dave Hamann motioned to adjourn the meeting at 8:45 p.m. Jean Root seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
PUBLIC HEARING
NOVEMBER 25, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
JEAN ROOT, SECRETARY
ROBERT HANVEY
JIM MURRAY
DEBRA WIEDMAN-CLAWSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
LARA KREP, CARLISLE/WORTMAN
PHIL WESTMORELAND, ORCHARD, HILTZ & MCCLIMENT
LES ANDERSEN, TRUSTEE
SCOTT LLOYD, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:15 p.m.

APPROVAL OF AGENDA

Jean Root motioned to approve the November 25, 2008 public hearing agenda. Jim Murray seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

No minutes to approve.

OLD BUSINESS

Caverly Special Use Permit review – located in the Suburban Residential District on the west side of Pinckney Road – Tax ID# 4710-11-400-005 – proposed use; Home Occupation II

Roy Caverly summarized his request for a Home Occupation II.

John Lowe opened the call to the public.

Chris Endebruck, 155 Marion Meadows Drive; he supports Roy Caverly in his request.

John Lowe closed the call to the public

NEW BUSINESS:

No new business.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

ADJOURNMENT

Jean Root motioned to adjourn the meeting at 7:22 p.m. Jim Murray seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
NOVEMBER 25, 2008**

MEMBERS PRESENT:

JOHN LOWE, CHAIRPERSON
JEAN ROOT, SECRETARY
ROBERT HANVEY
JIM MURRAY
DEBRA WIEDMAN-CLAWSON

MEMBERS ABSENT:

NONE

OTHERS PRESENT:

ANNETTE MCNAMARA, ZONING ADMINISTRATOR
LARA KREP, CARLISLE/WORTMAN

PHIL WESTMORELAND, ORCHARD, HILTZ & MCCLIMENT
LES ANDERSEN, TRUSTEE
SCOTT LLOYD, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA

John Lowe asked to move Caverly Home Occupation Class II to the first agenda item. Jean Root motioned to approve the November 25, 2008 regular meeting agenda as amended. Jim Murray seconded. **Motion Carried 5-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

No response.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

October 28, 2008 Regular Meeting minutes

Jean Root noted the approval of the September minutes should read Motion Carried 4-0. Annette McNamara corrected it. Debra Wiedman-Clawson motioned to approve the October 28, 2008 regular meeting minutes as amended. Jean Root seconded. **Motion carried 4-0.**

OLD BUSINESS

Caverly Special Use Permit review – located in the Suburban Residential District on the west side of Pinckney Road – Tax ID# 4710-11-400-005 – proposed use; Home Occupation II

Lara Krep summarized Carlisle/Wortman Associates, Inc. review letter. At this time they are recommending approval.

Orchard, Hiltz & McCliment, Inc. submitted a review letter and recommended approval.

John Lowe read the review and comment recommending approval from the Howell Area Fire Authority dated 11-19-08.

John Lowe read Mike Kehoe review letter dated 11-18-08. John Lowe noted some of Mike Kehoe's concerns have been resolved.

John Lowe noted the Zoning Board of Appeals approved the front yard set back variance at their November 10, 2008 meeting.

Robert Hanvey noted items #2 and #6 in the Conditions of Special Use should be amended, he also added two additional items to the list.

The Planning Commission members had a lengthy discussion regarding the applicants request and if it would change the character of the neighborhood.

Michael Whiteside, 255 Marion Meadows Drive; he does not think this will change the character of the neighborhood, the Caverly parcel is accessed off of D-19 not Marion Meadows Drive. He is here to support the Caverlys request.

Jean Root informed the applicant of their responsibility to contact Marion Township in the event the variance request is denied.

Jean Root motioned to recommend Site Plan approval for the Caverly Home Occupation Class II request, Tax ID # 4710-11-400-005, with the following conditions.

- 1) Carlisle/Wortman Associates, Inc. letter dated 10-20-08
- 2) Orchard, Hiltz & McCliment, Inc. letter dated 11-6-08
- 3) Howell Area Fire Authority email dated 11-19-08
- 4) Livingston Engineering survey dated 11-25-08
- 5) Zoning Board of Appeals minutes dated 11-10-08

Jim Murray seconded. **Roll call Jim Murray-yes, Jean Root-yes, John Lowe-yes, Robert Hanvey-yes, Debra Wiedman-Clawson-yes. Motion carried 5-0.**

Jean Root motioned to recommend Special Use Permit approval for the Caverly Home Occupation Class II request, Tax ID # 4710-11-400-005, based on Section 16.05 A.

1. Be harmonious with and in accordance with the general principles and objectives of the Comprehensive Plan of the Township.

The Home Occupation Class II provides the ability for Marion Township residents to engage in a start up business.

2. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

The applicant has demonstrated this by planting additional buffering and removing a pre-existing non-conforming accessory structure.

3. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will substantially improve property in the immediate vicinity and in the community as a whole.

With the additional screening and the placement of the building on the lot this criteria is met.

4. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools.

This is off a main thoroughfare in Marion Township.

5. Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Conditions imposed have been listed in the Conditions of Special Use for the Home Occupation II. Many residents gave approval for the applicants request during the public hearing.

6. Meet the intent and purpose of the zoning regulations; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

The request meets the intent and purpose of a special use.

7. Ensure that landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications, which result in maximum harmony with adjacent areas.

Applicant had planted additional trees and there will be minimal soil disruption.

8. Ensure that special attention shall be given to proper site surface drainage so that removal of storm waters will not adversely affect neighboring properties.

This was addressed in Orchard, Hiltz & McCliment, Inc. letter dated November 6, 2008.

9. Ensure that all exterior lighting shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.

Downward lighting will be installed outside.

10. Meet the site plan review requirements of Article XVIII.

See the site plan approval motion.

11. Conform to all applicable state and federal requirements for that use.

This is addressed in standards of Home Occupation II.

The conditions of the Special Use Permit dated 11-25-08 amended per Planning Commission discussion; delete item #2 and add #12; No sales of new or used cars along with #13 No car wash shall be established as part of the principal or accessory structure or as a separate structure.

Jim Murray seconded. **Roll Call, Jim Murray-yes, Jean Root-yes, John Lowe-yes, Robert Hanvey-yes, Debra Wiedman-Clawson-yes. Motion Carried 5-0.**

Proposed General Ordinance – Stormwater Ordinance w/maintenance agreement
Section 6.17 Infrastructure and Concurrency Standards

The Planning Commission reviewed the revised text.

Maintenance Agreement - Page 4 of 6 – Section 8 B – Notices, will read All notices permitted or required to be given shall be in writing and sent either by mail or by personal delivery to the owners of record as shown on the latest Township tax assessment roll.
Delete the comments from Ken Recker, Deputy Drain Commissioner.

Stormwater Ordinance – page 2 of 4 - Section 8 – the guarantee bond amount will be set at 15%

Jean Root motioned to table the Stormwater General Ordinance and maintenance agreement to the January 20, 2009 meeting. Jim Murray seconded. **Motion carried 5-0.**

Section 6.17 Infrastructure and Concurrency Standards

The Planning Commission members reviewed the text and will follow Mike Kehoes instructions to hold a second public hearing.

Jean Root motioned to set a public hearing for Section 6.17 Infrastructure and Concurrency Standards on January 20, 2009 at 7:15 p.m. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

NEW BUSINESS:

Annual Organizational Meeting

Jean Root nominated John Lowe for Planning Commission Chair. Jim Murray seconded. **Roll Call, Jim Murray-yes, Jean Root-yes, Robert Hanvey-yes, Debra Wiedman-Clawson-yes. Motion Carried 4-0.**

Jean Root nominated Debra Wiedman-Clawson for Vice Chair. Jim Murray seconded. **Roll Call, Jim Murray-yes, Jean Root-yes, John Lowe-yes, Robert Hanvey-yes. Motion Carried 4-0.**

Debra Wiedman-Clawson nominated Jean Root for Secretary. Jim Murray seconded. **Roll Call, Jim Murray-yes, John Lowe-yes, Robert Hanvey-yes, Debra Wiedman-Clawson-yes. Motion Carried 4-0.**

Report on October 29, 2008 Joint Advisory Committee

Robert Hanvey summarized the meeting and noted this is an advisory committee only.

Discussion on Corner Lot Frontage Requirements

John Lowe would like to review the existing text and determine if it can be improved.

Jean Root motioned to table this agenda item until the December 16, 2008 meeting. Robert Hanvey seconded. **Motion carried 5-0.**

Discussion on size requirement for Accessory Structures

John Lowe informed the Planning Commission members of the number of Zoning Board of Appeals cases for the size of accessory structures.

Jim Murray noted Carlisle/Wortman Associates, Inc. has text that may work.

John Lowe asked that John Enos bring a copy to the December 16, 2008 meeting.

Jean Root motioned to table this agenda item until the December 16, 2008 meeting. Debra Wiedman-Clawson seconded. **Motion carried 5-0.**

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Jean Root reminded the members the next meeting will be held on December 16, 2008 due to the Christmas Holiday.

Robert Hanvey informed the Planning Commission members that all text amendments and rezoning will be sent to Livingston County Department of Planning for review and comment until further notice.

Charles Musson 333 Triangle Lake Road; what is the difference between a special use permit and a conditional rezoning.

The differences were explained.

John Lowe closed the call to the public.

ADJOURNMENT

Jean Root motioned to adjourn the meeting at 10:10 p.m. Debra Wiedman-Clawson seconded. **Motion Carried 5-0.**

**PLANNING COMMISSION
DECEMBER 16, 2008**

MEMBERS PRESENT: JOHN LOWE, CHAIRPERSON
BOB HANVEY
JIM MURRAY
JERRY SIDLAR

MEMBERS ABSENT: JEAN ROOT, SECRETARY

OTHERS PRESENT: ANNETTE MCNAMARA, ZONING ADMINISTRATOR
JOHN L. ENOS, CARLISLE/WORTMAN
LES ANDERSEN, TRUSTEE

CALL TO ORDER

John Lowe called the meeting to order at 7:33 p.m.

APPROVAL OF AGENDA

Jim Murray motioned to approve the December 16, 2008 regular meeting agenda. Bob Hanvey seconded. **Motion Carried 4-0.**

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. Jean Root was absent.

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Les Andersen would like one or two Planning Commission members to attend a meeting with Mike Craine, Managing Director of the Livingston County Road Commission and discuss the Premier Farms off-site road improvements.

John Enos said this can be insured with bonding or a letter of credit and Mike Craine should know the best way to go about this.

John Lowe closed the call to the public.

APPROVAL OF MINUTES

November 28, 2008 Public Hearing minutes

Bob Hanvey motioned to approve the November 28, 2008 public hearing minutes. Jim Murray seconded. **Motion carried 4-0.**

November 28, 2008 Regular meeting minutes

Bob Hanvey noted a mistake on page one, the Planning Commission agreed to table for corrections. Bob Hanvey motioned to table the November 28, 2008 regular meeting minutes to the January 20, 2009 meeting. Jim Murray seconded. **Motion carried 4-0.**

OLD BUSINESS

Proposed Text Amendment – Section 00.00 Wind Energy Conversion System

Bob Hanvey summarized the information from a meeting he attended last week. He noted that any language to regulate Wind Energy Conversion Systems could be pre-empted by the State of Michigan when it is all said and done. The committee will present their findings to the State in June of 2009.

The Planning Commission agreed to table this agenda item until March 2009.

Jim Murray motioned to table this agenda item until the regular March meeting. Bob Hanvey seconded. **Motion carried 4-0.**

Discussion on Corner Lot Frontage requirements

John Lowe told the Planning Commission members that this issue came up through unintended consequences.

After discussion the Planning Commission members agreed to the following language.
If the parcel does not have access to the private road it will be treated as a side or rear yard prospectively.

The Planning Commission would like to see the revised text at the January 20, 2009 meeting.

Bob Hanvey motioned to request Annette McNamara write up text regarding roads on adjacent to parcels. Jim Murray seconded. **Motion carried 4-0.**

Proposed Text Amendment – TXT# 06-08 Section 6.07 Accessory Structures

The Planning Commission reviewed the text used by Huron Township. They agreed to use a percentage as opposed to the square footage of the house. John Enos and Annette McNamara will work together on this and submit for the January 20, 2009 meeting.

Bob Harvey motioned for John Enos and Annette McNamara to research this proposed text. Jim Murray seconded. **Motion carried 4-0.**

NEW BUSINESS:

Discussion on proposed Public Land rezoning

Bob Harvey motioned to hold a public hearing for the proposed rezoning on February 24, 2009 @ 7:15 p.m. Jim Murray seconded. **Motion carried 4-0.**

Appoint member to work on Article IV – Signs

Jim Murray volunteered to work on Article IV Signs.

Nomination of Planning Commission Co-Chair

John Lowe said he spoke with Jean Root today and she is willing to accept the nomination along with her Secretary responsibilities.

Jim Murray nominated Jean Root for Co-Chair. Bob Harvey seconded. **Roll Call, Jim Murray-yes, John Lowe-yes, Bob Harvey-yes, Jerry Sidlar-yes. Motion Carried 4-0.**

CALL TO THE PUBLIC

John Lowe opened the call to the public.

Les Andersen gave the two new Planning Commission members the history of the Premier Farms property.

John Lowe closed the call to the public.

ADJOURNMENT

Jim Murray motioned to adjourn the meeting at 9:20 p.m. Jerry Sidlar seconded. **Motion Carried 4-0.**