

MARION TOWNSHIP
2877 W. COON LAKE ROAD, HOWELL MI 48843
PLANNING COMMISSION
REGULAR MEETING MINUTES
MAY 22, 2018
7:30 P.M.

MEMBERS PRESENT: LARRY GRUNN- *CHAIRPERSON*
BOB HANVEY
BRUCE POWELSON- *VICE CHAIR*
CHERYL RANGE- *SECRETARY*
CLAIRE STEVENS

MEMBERS ABSENT: NONE

OTHERS PRESENT: DAVE HAMANN- *ZONING ADMINISTRATOR*
JOHN ENOS- *TOWNSHIP PLANNER, CARLISLE WORTMAN*

CALL TO ORDER

Larry Grunn called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

INTRODUCTION OF MEMBERS

The members of the Planning Commission introduced themselves. John Enos from Carlisle Wortman introduced himself.

APPROVAL OF AGENDA

May 22, 2018 Regular Meeting Agenda

Cheryl Range motioned to approve the agenda. Bob Hanvey seconded. ***Motion carried***

APPROVAL OF MINUTES

April 18, 2018 Regular Meeting Minutes

Cheryl Range motioned to approve the minutes as presented. Bob Hanvey seconded. ***Motion carried***

APPROVAL OF MASTERPLAN MINUTES

May 1, 2018 Masterplan Meeting Minutes

Cheryl Range motioned to approve the minutes as presented. Bob Hanvey seconded. ***Motion carried***

CALL TO THE PUBLIC

No response.

AMEND AGENDA:

Set public hearing for Pardiac Auto Repair for June 26, 2018.

Cheryl Range motioned to set a public hearing for Pardiac Auto Repair on June 26, 2018 at 7:30pm. Bob Hanvey seconded. ***Motion carried***

AMEND AGENDA:

Dave explained that Pardiac is applying for another SUP for the Auto Repair section and combining the two businesses. They are in a highway service area so they are allowed to do this.

OLD BUSINESS:

TXT #04-17 AND #05-17 RE-REVIEW MIKE KEHOE'S LETTER AND ISSUES WITH THE "LANDSCAPE CONTRACTOR OPERATION" LANGUAGE

John Enos reviewed the notes from Mike Kehoe regarding Landscape Contractors Buildings, Offices and Yards. John suggested that we change the current header to [Farm and Farm Operations, Including Animals and Crops](#). Cheryl questioned whether we were being too detailed in this language. Bob asked if we had the authority to separate animals and crops since we do not have a lot of authority when regulating farm land and the right to farm act. John Enos said that we do have some control over WHERE some of these farms end up, but aside from that, Marion does not have a lot of control over WHAT residents are doing on site, with Right to Farm. Dave said that animals and crops are allowed in the RR district but animals are not allowed in the SR district. Cheryl suggested combining the following language from paragraph three; ***Plant Nursery, Greenhouse, Farm Related:*** to paragraph one; ***Landscape Contractor's Buildings, Offices and Yards:*** ***"The area and amount of such structures, equipment, vehicle storage and other areas dedicated to the use shall be consistent with the residential character of the area and shall not adversely impact the neighboring properties."*** Cheryl explained that by combining them, we will not lose any of the existing language. John said that we need to make sure that we spell out in our language that, contractors are not allowed to be in unpermitted areas to avoid issues in the future, which is why we are cleaning up some of this language. Dave asked how what criteria do we look at when we are distinguishing the difference between a landscaping company based within the home and a contractor's yard. John said it depends on how many employees the business has and are they storing vehicles and/or material on the property. Dave said that three employees is considered a class II home based business. Bob asked what happens when the business begins to grow and become more successful. John asked who is going to enforce these ordinances if the business does become successful and outgrow the original permit. John explained that we can create these ordinances all day long, but if no one is going to enforce them, then it doesn't matter what language is within these ordinances. John said that we should be willing to say that a Homebased Business class II, is when someone only has vehicles stored on the property but does not have any material/product located on site. Bob suggested we also change the words "contouring land" to "lawn mowing". John said that we could use a new term or come up with new language all together.

Bruce Powelson motioned to send the language prepared for **Landscape Operations and Contractor Yard** to the Board of Trustees, with the following recommended adjustments.

In Paragraph two; **Landscape Contractors Operation:** ***"A [homebased](#) business engaged in the practice of improving building sites or other grounds by ~~contouring the land and~~ [mowing lawns](#), planting flowers, shrubs and trees. A landscaping Contractors Operation typically consists of equipment, tools, vehicles and materials used in or associated with such a business."*** Cheryl Range seconded. Bob then asked if the word "materials" is

going to get us in trouble by giving the impression that they can store materials onsite. John said we could take out the word “materials” and also add in that they are not allowed to have any outdoor storage and are not allowed to have employees’ onsite. Dave asked, what would we call the lawn care guys who park at home? Would they be a use by right? John said that it can be a use by right if it is in the RR district. Some of these class I and class II homebased business’ who are in the light industrial RR district, are going to be non-confirming with a permitted use.

TXT #07-17 PROPOSED CHANGES TO “LOTS”

Bruce said on page 13 the word “insure” should be “ensure”. Bob has some concerns with “lots” If we change 20 words does it have to go to the county? John said it depends on if we change the definition of those words. John said that Bob has a low of legit concerns about this and it is a lot to wrap your head around. John thinks that we should review Bob’s concerns and then he will make some recommendations after he discusses things with Bob.

Cheryl Range motioned to postpone #07-17 until the 6-26-2018 meeting. Bruce Powelson seconded.
Motion carried

GENERAL ORDINANCE: PROPOSED #01-17 LAND DIVISIONS

Cheryl Range motioned to postpone #01-17 until the 6-26-2018 meeting. Bruce Powelson seconded.
Motion carried

GENERAL ORDINANCE: PROPOSED #05-17

Change Cemetery

Chery was concerned because this didn’t have a signature on it. Bob said that the updated one didn’t make it on the website.

Change Cemetery

Bob said that we are still waiting on the Attorneys feedback.

PROPOSED ORDINANCE CHANGE LIST: DISCUSS ANIMAL UNIT

Bob said that we don’t have jurisdiction on animals per unit involving GAMPS. This needs a little more work and thought on this.

An invitation and survey may be sent out with the tax bill which goes out in June. John said that they should have a Masterplan draft in early fall.

CALL TO THE PUBLIC

Les Andersen made a comment about the lawn services and home occupation. He is concerned as well about these business’ growing out of control. In the beginning Pardiac Auto Repair was allowed to have eight vehicles and now they have way more than that. John said that Dave should be doing the enforcing with the Boards support.

ADJOURNMENT

Bruce Powelson motioned to adjourn the meeting at 9:30pm. Cheryl Range seconded. ***Motion carried***