

**DRAFT**

\*Approved by: \_\_\_\_\_

Larry Grunn, *Chairperson*

Date: \_\_\_\_\_

**MARION TOWNSHIP PLANNING COMMISSION  
CONFERENCE CALL MEETING MINUTES  
May 26, 2020 / 7:30PM**

**MEMBERS PRESENT:** LARRY GRUNN – *CHAIRPERSON*  
BOB HANVEY  
CHERYL RANGE – *SECRETARY*  
BRUCE POWELSON – *VICE CHAIR*  
JAMES ANDERSON

**OTHERS PRESENT:** DAVE HAMANN – ZONING ADMINISTRATOR  
JOHN ENOS – PLANNER WITH CARLISLE WORTMAN

**MEMBERS ABSENT:**

**CALL TO ORDER:**

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

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA:**

*Approval of the Regular Meeting Agenda for May 26, 2020*

Cheryl Range motioned to approve the agenda. Bob Hanvey seconded. **MOTION CARRIED**

**APPROVAL OF MEETING MINUTES:**

*Approval of the Regular Meeting Minutes for February 25, 2020*

Cheryl Range motioned to approve the amended meeting minutes. Bob Hanvey seconded. **MOTION CARRIED**

**APPROVAL OF MEETING MINUTES:**

*Approval of the Regular Meeting Minutes for April 29, 2020*

Jim Anderson motioned to approve the amended meeting minutes. Bruce Powelson seconded. **MOTION CARRIED**

**CALL TO THE PUBLIC:**

NONE

**NEW BUSINESS:**

- B-Line Direction for Outdoor Dining

Dave said that Mike Pool from B-line asked if he could temporarily offer seating outside due to the recent COVID-19 social distancing requirements. Dave would like to give B-line some extended services during this quarantine. He did confirm that this would be temporary service.

John Enos would like to get some feedback from the fire department. He also thinks that we should make sure that Liquor control is ok with alcohol being served outside. John also wants some more detail on the decorative fencing and possible exit strategies.

Jim Anderson said they need to look at what parking lot changes would need to take place.

Dave said Mike would be using six parking spaces to provide outside seating.

Cheryl Range asked if they really need to have fencing since this is going to be temporary.

John Enos said probably not, it just depends on where the seating is going to be located.

Cheryl said that she approves whatever Mike needs, to make this happen for him.

Bruce Powelson agreed.

John Enos said he would just like the Fire Department to take a look at this. This would just be an accessory Use.

Bruce asked if we should put a time limit on this?

Larry Grunn said that he is concerned with the safety of people sitting outside, due to the customers pulling into the parking lot. Someone pulling in could easily wipe out a crowd of people sitting down for dinner. Should we have them put in some sort of barricade to protect people sitting outside.

Cheryl said the restaurants in downtown Howell that offer outside seating, only have a curb as a barrier/barricade.

Larry said the speed limit is much faster on D19 verses on Grand River in downtown Howell.

Cheryl Range said she just wants the most affordable and safe option for this restaurant.

John Enos said we could allow this until the end of October and then re-visit things at that time. John likes the idea of using the water-filled barricades, for safety measures and would still like the Fire Department to take a quick look. Aside from those things, John feels comfortable with this.

Cheryl Range asked where the lighting is located throughout the parking lot.

Jim said the lighting is not very good in that parking lot.

Bob asked who has the authority to approve this? Is it Dave Hamann as the Zoning Administrator or would it be the Planning Commission?

John Enos said that Dave has the authority to approve this as an Accessory Use but it is still good to see where the Commissioners comfort level falls on things like this.

- **SPR# 01-20 & SUP# 01-20 for Marion D19 LLC Section 17.12 Drive-in Establishment**

John Enos said that looking at this review, he has a lot of questions. He does like the idea and thinks the residents will be happy with a drive-thru at this location. John went over the comments in the review from himself and Phil Westmoreland. John said the next step would be to set a Public Hearing for this.

Jim Anderson asked why we should set a Public Hearing for something that we don't approve of.

Dave said that the Public Hearing is for the Special Use Permit. The site plan review is a separate piece.

Jim asked if we need a Public Hearing for the site plan.

Dave said that the site plan review does not require a Public Hearing.

Jim looked at several other Dunkin Donut drive-thru locations and is very confused as to why Todd is deciding to put the drive-thru where he is putting it. There was only one other drive-thru that Jim saw, that was similar to what Todd is asking for. (The Hartland Dunkin Donut location.)

John said many ordinances require an escape lane and this location does not offer an escape lane. This is not a deal killer for John but just something to think about.

Larry said that he met with Todd and discussed this with him. Larry sat in the parking lot for about an hour and a half, watching the current traffic flow. Larry noticed some existing items that still have not been addressed or resolved. Larry also said that the drain water seems to be going down pretty well. He is not sure if the County has already been there to resolve the drain issues but it seems to be working well at the moment.

Bob said that the County was there pumping the other day, so the Drain is not actually running yet.

John Enos said that we should set a Public Hearing for this, so we can see what the neighbors think. Bob Hanvey motioned to set a Public Hearing for June 23, 2020 regarding Mugg & Bopp's drive-thru. Larry Grunn seconded. **MOTION CARRIED**

## **OLD BUSINESS**

- ***TXT #05-05, 06 Signs / Home Occupation & Home-Based Business***

Dave Hamann said that he could put together a text amendment package or asked if we should wait until we have a public hearing for something bigger and then we could just add this change to it.

Jessica Timberlake reminded the Commissioners that at the February 2020 Planning Commission meeting, John Enos said that he was going to work with Dave on a memo for these text amendment changes along with some other amendment changes.

Bob Hanvey said he thought we were waiting to set a Public Hearing until we have other text amendment changes at the same time.

Cheryl Range motioned to table this topic until June 23, 2020, once we have the text standard updates from John Enos. Bruce Powelson seconded. **MOTION CARRIED**

- ***TXT #07-17 Proposed Changes on Lots***

Cheryl Range motioned to postpone further discussion on the various terms that are used throughout our Lot language, until John Enos meets with Dave Hamann and Bob Hanvey to discuss language options from other jurisdictions. Jim Anderson seconded. **MOTION CARRIED**

Larry Grunn said that he saw a building/barn on the Wilson's property which is near the horse farm, located on the north side of Coon Lake road. He heard that the parents sold the house along with the barn and they are now currently living in the upstairs of that barn. Larry asked Dave if he's heard anything about this.

Dave Hamann said that he has not heard anything and is not able to go onto their property without a warrant and probable cause.

Larry said he believes that the Wilson family are good people and he is not trying to file a complaint, but just thought he should mention it. The Wilson's have helped out with Heritage days in previous years and they are a good family but that doesn't mean they should be allowed to do whatever they want.

Jessica Timberlake reminded the Commissioners that at one of the February 2020 Planning Commission meeting, John Enos said that he was going to bring some examples from other jurisdictions and provide some feedback on this topic. He also suggested the Township Attorney should provide some feedback on this as well.

Cheryl Range made a motion to postpone changes on this until we get some more feedback and input from John Enos and the Township Attorney. Bruce Powelson seconded. **MOTION CARRIED**

- ***TXT #01-19 Short Term Rentals***

John Enos said that he would provide some language to Dave regarding these short-term Rentals.

Jim Anderson asked if we should even bother looking at language that allows this, if this is something that we don't want happening in Marion Township.

Bob said that we have to offer this somewhere in the Township. Maybe in the Commercially zoned area. These should be allowed somewhere in the Township along with regulations to be followed.

Cheryl said aren't we trying to prevent the short-term rentals that are located on the private lakes.

Dave Hamann said that there is something going on there now because packages have been getting delivered but no one on the lake has complained about anything, for a little while now.

Jim Anderson said he doesn't disagree with long-term rentals. He also asked if long-term rentals seem to be an issue for other jurisdictions. If they are long-term then it is no different than when people rent out their home.

Dave said that in districts ERS-1 and 2, they are not allowed to have a Bed and Breakfast. However, should they be allowed to have long-term rentals?

John Enos said that we would have a problem prohibiting this because we cannot be exclusionary. Regarding short-term rentals, we could create language that states, the owner needs to provide appropriate parking and we could also list other specific regulations, which could then make it difficult for a person to have a short-term rental property.

John Enos said that he would like to talk with Mike Kehoe and have him provide some input on this.

Jessica Timberlake reminded the Commissioners at the February 2020 Planning Commission meeting, John Enos said he would bring back some language on short-term rentals and the different allowed time-frames in other jurisdictions.

John Enos said that he is willing to bring in the recent language that he created for Manchester Township on short-term rentals but is wondering if he should even bother doing this, if this is something the Township does not even want to allow.

Bob Hanvey motion to postpone discussion on short term rentals until we get more information from John Enos and our Attorneys. Jim Anderson seconded. **MOTION CARRIED**

- ***Master Plan Review Updates***

John Enos said that he cleaned up the demographics throughout the revised Master Plan. John also put in the updated photos throughout that were provided to him.

Jim Anderson asked if we could dedicate one full page on Open Space and Farmland Preservation.

John Enos said that he would do that.

Cheryl asked if we could remove any discussion involving mass transit or buildings that house or transport multiple families, due to this recent virus/pandemic.

John Enos is actually in favor of public transportation and thinks that it is something that will happen in Marion Township but not for a long time.

John Enos said that he would add information regarding Open Space and Farmland preservation.

### **CORRESPONDENCE AND UPDATES:**

Dave Hamann has had a few residents come to him regarding adding multiple driveways to their property. For example, those that have pole barns which cannot be accessed due to the location of the septic system or due to the layout of the property. Dave thinks that the Commissioners should consider pulling this language out of our current ordinance, which would then allow residents to have multiple driveways and we could still rely on the County Road Commission to help regulate this, just like they already do in other jurisdictions.

### **ADJOURNMENT:**

Cheryl Range motioned to adjourn this meeting at 9:20pm. Jim Anderson seconded. **MOTION CARRIED**