

**MARION TOWNSHIP PLANNING COMMISSION  
AGENDA and MINUTES**

PUBLIC HEARING  
February 25, 2014 @ 7:00 p.m.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA FOR: *February 25, 2014 Regular Meeting & Public Hearing*

INTRODUCTION OF MEMBERS:

CALL TO THE PUBLIC:

APPROVAL OF MINUTES FROM: *January 21, 2014 Regular Meeting*

PUBLIC HEARING:

- 1) *Article XVI – Special Use Permits*
- 2) *Article XVIII – Site Plan Review Requirements*
- 3) *Section 6.13 G – Exceptions to Fencing & Screening Requirements*

REGULAR MEETING:

OLD BUSINESS:

- 1) *Article XVI – Special Use Permits*
- 2) *Article XVIII – Site Plan Review Requirements*
- 3) *Section 6.13 G – Exceptions to Fencing & Screening Requirements*
- 4) *Section 5.05 C #'s 4 & 5 Zoning Board of Appeals Variance Criteria & 5.05 E Approval Period*
- 5) *Section 3.02 Definition & 17.04 Automobile Service and Repair Stations*
- 6) *Review of Special Events application & requirements*

NEW BUSINESS:

- 1) *Section 17.10 C #1 a; C #3 a 5 & C #4 b - Wireless Communication Support Facilities – amend distance requirements*

CALL TO THE PUBLIC:

ADJOURNMENT:

**MINUTES**

**MEMBERS PRESENT:** JERRY SIDLAR, CHAIR  
GREG DURBIN, VICE-CHAIR  
CHERYL RANGE, SECRETARY  
BOB HANVEY  
CHARLIE MUSSON

**MEMBERS ABSENT:** NONE

**OTHERS PRESENT:** ANNETTE MCNAMARA, ZONING ADMINISTRATOR

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**CALL TO ORDER**

Jerry Sidlar called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Bob Hanvey motioned to approve the agenda as submitted. Greg Durbin seconded. Motion Carried 5-0.

**INTRODUCTION OF MEMBERS**

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

**CALL TO THE PUBLIC**

Jerry Sidlar opened the call to the public.

No Response.

Jerry Sidlar closed the call to the public.

**APPROVAL OF MINUTES**

**January 21, 2014 Regular meeting minutes**

Bob Hanvey motioned to approve the January 21, 2014 minutes as submitted. Greg Durbin seconded. **Motion Carried 5-0.**

**Public Hearing**

**Article XVI – Special Use Permits**

Jerry Sidlar opened the call to the public.  
There were no comments from the public.  
Jerry Sidlar closed the call to the public.

#### **Public Hearing**

#### **Article XVIII – Site Plan Review Requirements**

Jerry Sidlar opened the call to the public.  
There were no comments from the public.  
Jerry Sidlar closed the call to the public.

#### **Public Hearing**

#### **Section 6.13 Landscaping Requirements**

Jerry Sidlar opened the call to the public.  
There were no comments from the public.  
Jerry Sidlar closed the call to the public.

#### **Regular Meeting**

#### **OLD BUSINESS**

#### **Article XVI – Special Use Permits**

The Planning Commission members reviewed the proposed amendments and requested the following amendments be made.

- 1) Page 2; Section 16.05 A General Standards – add 'shall be reviewed' after the word application

Bob Hanvey motioned to send the proposed amendments to Article XVI Special Use Permits to the Board of Trustees for preliminary review and comment. If no significant comments are made by the Board of Trustees Annette McNamara is to forward the amendment to the Livingston County Department of Planning for review and comment. If no significant comments are made, Annette McNamara is to forward to the Board of Trustees for final review and approval and or denial. Cheryl Range seconded.

**Motion Carried 5-0.**

#### **Article XVIII – Site Plan Review Requirements**

The Planning Commission members reviewed the proposed amendments and requested the following amendments be made.

- 1) Page 2; Section 18.03 B General information #2 – to read "Name, address, phone fax number and/or email of applicant(s), property owner(s), engineer(s), architect(s), and landscape architect(s)
- 2) Page 2; Section 18.03 C Planning Commission Action – third sentence remove the word 'deny'

Bob Hanvey motioned to send the proposed amendments to Article XVIII Site Plan Requirements to the Board of Trustees for preliminary review and comment. If no significant comments are made by the Board of Trustees Annette McNamara is to forward the amendment to the Livingston County Department of Planning for review and comment. If no significant comments are made, Annette McNamara is to forward to the Board of Trustees for final review and approval and or denial. Cheryl Range seconded.

**Motion Carried 5-0.**

#### **Section 6.13 Landscaping Requirements**

The Planning Commission members reviewed the proposed amendments and requested the following amendments.

- 1) Page 1; Section 6.13 G #4 – the first sentence of paragraph insert 'and/' between recommend and or

Bob Hanvey motioned to send the proposed amendments to Section 6.13 G Exceptions to Fencing and Screening Requirements to the Board of Trustees for preliminary review and comment. If no significant comments are made by the Board of Trustees Annette McNamara is to forward the amendment to the Livingston County Department of Planning for review and comment. If no significant comments are made, Annette McNamara is to forward to the Board of Trustees for final review and approval and or denial. Jerry Sidlar seconded. **Motion Carried 5-0.**

#### **Section 5.05 C #'s 4 & 5 Zoning Board of Appeals Variance Criteria & 5.05 E Approval Period**

The Planning Commission members requested the following amendments.

- 1) Page 2; Section C items #1 thru #4 to read;
  - o That the restrictions of the Township Zoning Ordinance would unreasonably prevent the owner from using the property for a permitted use.
  - o That the variance would do substantial justice to the applicant and a lesser relaxation than that requested would not give substantial relief to the owner of the property.
  - o That the request is due to the unique circumstances of the property.
  - o That the alleged hardship has not been created by the property owner.

- 2) Page 2; Section C – add colon after board of Appeals

- 3) Page 2; Section C – change reference to five criteria to four criteria

Bob Hanvey motioned to hold a public hearing at 7:00 p.m. on Section 5.05 C & E at the regularly scheduled March 25, 2014 meeting. Cheryl Range seconded. **Motion Carried 5-0.**

#### **Section 3.02 Definition & 17.04 Automobile Service and Repair Stations**

The Planning Commission members discussed the proposed text and requested the following changes.

- 1) That references to oil and grease be changed to automotive lubricants

- 2) Separate Automobile service and repair stations/garages and Automobile fueling/mixed-use stations w/carwash, renumber into 17.04 A and 17.04 B

Bob Hanvey motioned to have Annette McNamara revised Section 17.04 per Planning Commission request and check on propane tank refill requirements. Greg Durbin seconded. **Motion Carried 5-0.**

### **Special Events Permit**

The Planning Commission members reviewed the proposed text and requested the following amendments.

- 1) Page 1; delete the first three and the last definition
- 2) Page 2; typo in last definition
- 3) Page 2; General provisions item #3 – need Mike Kehoe’s comments on the last sentence
- 4) Page 3; General provisions item f – need to define or get comments from Mike Kehoe on ‘no unreasonably carry beyond the boundaries’
- 5) Page 3; General provisions – add item h requiring Livingston County Drain Commission and Michigan Department of Environmental Quality review and approval

Bob Hanvey motioned to have Annette McNamara make the requested amendments and bring back proposed text to the March 25, 2014 meeting. Cheryl Range seconded. **Motion carried 5-0.**

### **NEW BUSINESS**

#### **Section 17.10 Communication Towers (Wireless Communication Facilities)**

The proposed amendments are to remove the requirements for no new towers within three miles of an existing tower. The Planning Commission members agreed this is an amendment that should be made. The Planning Commission members would like Annette McNamara to check on which zoning districts towers are allowed.

Bob Hanvey motioned to have Annette McNamara make the changes and do the research requested at tonight’s meeting. Greg Durbin seconded. **Motion carried 5-0.**

### **CALL TO THE PUBLIC**

Jerry Sidlar opened the call to the public.

No response.

Jerry Sidlar closed the call to the public.

### **ADJOURNMENT**

Greg Durbin motioned to adjourn the meeting at 8:50 p.m. Jerry Sidlar seconded. **Motion carried 5-0.**