

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
Thursday, April 27, 2023
7:30 p.m.

**THIS MEETING WILL BE HELD IN PERSON WITH
ONLINE PARTICIPATION OPTIONS**

Call to Order
Pledge of Allegiance
Members Present/Members Absent

- 1) Approval of Agenda
- 2) Consent Agenda
 - a. April 13, 2023 Regular Meeting Minutes
 - b. March 21, 2023 HAPRA Minutes
 - c. April 19, 2023 HAFA Agenda/Minutes
 - d. April 19, 2023 MHOG Agenda/Minutes
- 3) Harris Rezoning Request RZN#01-23
- 4) HomeTown Phase III Offer
- 5) Roads
- 6) Marion Township Walking Path Update
- 7) Marion Township Maintenance Update

Correspondence and Updates

Call to the Public
Adjournment

Reminder: Next Board Packet will be ready after 3pm on Thursday, May 4th.

DRAFT

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
APRIL 13, 2023**

MEMBERS PRESENT: Scott Lloyd, Bob Harvey, Tammy Beal, Les Andersen, Dan Lowe, Sandy Donovan, and Greg Durbin

MEMBERS ABSENT: None

OTHERS PRESENT: John Gormley, Attorney; Phil Westmoreland, Spicer

CALL TO ORDER

Bob Harvey called the meeting to order at 7:30 pm. The meeting is also available to attend online.

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

APPROVAL OF AGENDA

Les Andersen motioned to approve the agenda as presented. Tammy Beal seconded. **Motion carried.**

CONSENT AGENDA

Greg Durbin motioned to approve the consent agenda as presented. Les Andersen seconded. **Motion carried.**

LAWN MAINTENANCE BIDS

Three bids were received. Tammy Beal motioned to select the bid from B&L Services for a three-year contract. Les Andersen seconded. Roll call vote: Lowe, Lloyd, Beal, Harvey, Durbin, Andersen, Donovan—all yes. **Motion carried 7-0.**

SEWER RATES

Scott Lloyd motioned to approve the new sewer usage rate of \$6.33 per 1000 gallons, with a \$103 flat rate per quarter, effective July 1, 2023. Les Andersen seconded. **Motion carried.**

HOWELL TOWNSHIP LETTER OF SUPPORT

Sandy Donovan motioned to approve the letter of support to Howell Township for a Spark Grant, as presented. Tammy Beal seconded. **Motion carried.**

ROADS

Les Andersen motioned to accept the \$124,000 estimate from the LCRC for Peavy Road, in addition to what was previously approved, and request that the LCRC include the tree removal on Keddle Road. Scott Lloyd seconded. Roll call vote: Lloyd, Andersen, Donovan, Beal, Durbin, Harvey, Lowe—all yes. **Motion carried 7-0.**

DRAFT

ALLOCATION BUDGET

Bob Hanvey said the allocation budget, as presented, has been submitted; this budget is just an estimate.

MARION TOWNSHIP WALKING PATH

Tammy Beal motioned to request bids for a one-mile walking path. Les Andersen seconded. **Motion carried.**

MARION TOWNSHIP MAINTENANCE UPDATE

Tammy Beal updated the board on the meeting with Schafer Construction. The issues from the attorney have been resolved.

Les Andersen motioned to create the Building Committee, with members Tammy Beal, Sandy Donovan, Scott Lloyd, and Dave Hamann with duties to include decision making, invoice approval and payment. Any change orders over \$10,000 will be presented to the township board for approval. Tammy Beal seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

Les Andersen motioned to approve the clerk and supervisor to sign the amended contract from Schafer Construction. Scott Lloyd seconded. Roll call vote: Hanvey, Lowe, Durbin, Beal, Lloyd, Donovan, Andersen—all yes. **Motion carried 7-0.**

CORRESPONDENCE & UPDATES

The annual ARPA report has been submitted.

The System for Award Management registration has been renewed.

The Township has registered for an Opioid Settlement Award.

Dan Lowe said the township should specify where the gravel comes from for the road improvements.

Les Andersen said residents have been complaining about the smell from the limestone on the roads.

CALL TO THE PUBLIC

James Mallon, 4411 Hinchey, commented on road gravel.

ADJOURNMENT

Les Andersen motioned to adjourn at 8:15 pm. Tammy Beal seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date

HOWELL recreation

Howell Area Parks & Recreation Authority
Oceola Community Center

Regular Board Meeting Minutes

March 21, 2023

Call to Order

Chair Sean Dunleavy called the meeting to order at 7:00 pm.

Attendance

Board Members: Chair Sean Dunleavy, Vice Chair Diana Lowe, Secretary Nikolas Hertrich, Treasurer Jean Graham, and Trustee Tammy Beal

HAPRA Staff: Director Tim Church, Jen Savage, Jordan Jones, Kyle Tokan

Public: None

Call to the Public

None Present

Approval of Consent Agenda

Vice Chair Diana Lowe made a motion to approve the consent agenda with the revised Expenditure Report, supported by Trustee Tammy Beal. **Motion carried 5 – 0.**

Approval of Regular Agenda

A motion to approve the regular agenda was made by Trustee Tammy Beal, supported by Secretary Nikolas Hertrich. **Motion carried 5 – 0**

Discussion/Approval – HAPRA Audit for 2022

Director Church provided a brief summary of the previous year's finances and the results of the 2022 Audit. Fiscal year 2022 started with a fund balance of \$82,453; \$49,383 in losses resulted in a yearend balance of \$33,070. A deficit elimination plan will not need to be completed but the fund balance should be viewed as zero to cover payroll needs. With approval of the audit the draft budget can be adopted and the auditing firm

can submit the audit report. A motion to approve the 2022 draft audit as presented was made by Vice Chair Diana Lowe and supported by Trustee Tammy Beal. **Motion carried 5-0.**

Discussion – Sustainable funding for HAPRA

Director Church began the discussion regarding sustainable funding for HAPRA with a brief overview of the 2022 stakeholder meeting and various funding levels based on multiple millage rates. It was determined that a millage is the most reliable funding method to offset current contributions by members however to be enacted it will need to pass in all five (5) participating municipalities. Strategies on how to gather support for the millage were shared with a focus on being better prepared than previous attempts. Director Church spoke with an individual in Traverse City on best practice on how to pass a millage.

Events and Programs Report

Upcoming Events & Programs:

- I. Jordan Jones provided a summary of the upcoming Legend of the Ostringo event. Based on previous success of themed events, this year's egg hunter will occur after Easter and is based on the Legend of the Ostringo (imaginary creature from the minds of the Hive kids). This year's events occurs on Sunday, April 16, between 11:00 am and 3:00 pm at the Oceola Soccer Complex. Participants will collect eggs and trade for prizes. The Teen Flashlight Egg Hunt is Saturday, April 15, 2023, between 8:30 pm and 10:00 pm at the Bennett Rec Center.
- II. Jordan Jones introduced the Board to 100 hours of Outside. Program runs from May 1, 2023, through September 1, 2023, and encourages participants to celebrate the outdoors. Individuals who register are given an activity sheet and for every hour spent outside color in a portion of the worksheet. Once the worksheet has been completed it can be returned and exchanged for an award designed by a community member. Award will be made by the HIVE in the Makers Lab.

Sponsorship & Market Updates:

Staff recently met with Chem Trend who is looking to get involved again with HAPRA. Conversations are ongoing with Bank of Ann Arbor and regular sponsors are beginning to come back however they are indicating that they have a set amount of funding available for sponsorships.

Preventative Maintenance Report:

a. Projects

Director Church informed the board that pickleball is still in high demand but unfortunately courts are expensive to build and maintain. Because of the expense focus has shifted from creating additional pickleball courts to soccer fields. To support pickleball players it has been determined that Oceola courts can be relined to get a total of six (6) courts at a cost of \$6,000.00. Work will be done during the upcoming maintenance of the floor.

Directors Report

a. Meeting w/ Cleary University

Director Church, Renee, and Kevin met with the new president of Cleary University on Tuesday, March 14, 2023. Visit was brief and served as an opportunity for introductions and a chance to restart the relationship following prior interactions. Facilities were toured and based on the conversation there could be some future need to assist Cleary University with Student Life activities. A meeting with Matt Oliver the Director of Student Life will be scheduled to discuss further. Steve has been meeting with the Cleary University Basketball program do look at potential use of the Oceola Center as a practice location for the new basketball program.

Board Member Reports

Secretary Nikolas Hertrich shared with the Board agenda items from the February 27th, and March 13th, 2023, Howell City Council Meetings which included discussion and approval of multiple civic event applications, the sale of a city owned property, public correspondence regarding the closure of the hospital, postponement of board/commission appointments to discuss the application policy/process, and a discussion on City Hall renovations.

Chair Sean Dunleavy informed the Board that their most recent Board of Trustees meeting focused on prioritization of property development.

Trustee Tammy Beal shared with the Board that Marion Township approved the employee handbook revisions, discussed chip-seal on Coon Lake and off street parking, requested cost of gravel for Keddle Rd, and that their webpage will be redesigned.

Vice Chair Diana Lowe informed the Board that the Howell High School Senior Survivor Park equipment has been ordered and a 6-month moratorium on solar farms was passed.

Treasurer Jean Graham relayed to the Board that a new vendor for snow removal has been selected, waste water treatment plant discussions were had with the manager, conversations related to wellhead protection occurred in relation to the development of a gas station, planning commission appointments were made, updates were provided by various departments, and the Tooley Rd. and parks project applications were resubmitted for the second round of the SPARK Grant

Old Business

NA

New Business

Jen Savage mentioned that they are having open interviews for camp counselors. It has been successful with 10 interviews had. Jen asked if she could send a notice to municipality representatives for them to post.

Chair Sean Dunleavy and Director Church met with Superintendent MacGregor and other school districts regarding job openings at HAPRA. HAPRA has a referral program in place, if a referral is hired a \$250.00 gift card is available to the referrer.

Closed Session – Review HAPRA Attorney Opinion

Vice Chair Diana Lowe made a motion to enter into closed session to review HAPRA Attorney opinion, supported by Trustee Tammy Beal. **Roll Call Vote: Diana Lowe – Yes, Sean Dunleavy – Yes, Tammy Beal – Yes, Jean Graham – Yes, Nikolas Hertrich – Yes**

Return from Closed Session at 8:38 pm.

A motion for Chair Dunleavy and Director Church to have conversations with participating HAPRA Members on amending HAPRA By-Laws was made by Vice Chair Diana Lowe and supported by Treasurer Jean Graham; **Motion Carried 5-0.**

Next Meeting

Regularly Scheduled HAPRA Meeting - Tuesday, April 11, 2023, at 7:00 pm at Ocala Community Center

Adjournment

Motion to adjourn meeting at 8:39 pm made by Treasurer Jean Graham and supported by Trustee Tammy Beal. **Motion carried 5-0**

Approved

Date

Respectfully Submitted by: Nikolas Hertrich, Secretary

HOWELL AREA FIRE AUTHORITY AGENDA

Date: April 19, 2023

Time: 6:00 PM

Board members

Bill Bamber, Oceola Twp, Chairman

Mike Coddington, Howell Twp., Vice Chairman

Mark Fosdick, Cohoctah Twp., Secretary

Robert Hanvey, Marion Twp., Treasurer

Bob Ellis, City of Howell, Member

Ron Hicks, Fire Chief

Laura Walker, Asst. Sec/Treasurer

WELCOME!

Visitors are invited to attend all meetings of the Howell Area Fire Authority Board. If you wish to address the Board, you will be recognized by the Chairman.

Agenda Items

Meeting called to order at 6:00pm

Pledge of Allegiance

Approve the minutes of the regular meeting of March 15, 2023

Call to public (Items not on the agenda)

Discussion/Approval to purchase Sutphen 75-foot Aerial Ladder in the amount of \$1,437,318.68

Discussion/Approval 2023-2024 Budget

Discussion: Follow-up on Website updates for Howell Area Fire Authority

Chief's Comments

- Update on Rescue 20
- Approve Payment of Bills and Payroll in the amount of \$326,635.11
- New Business

Old Business

Adjournment

HOWELL AREA FIRE AUTHORITY

March 15, 2023 – 6:00 pm

Oceola Township Community Center – 1661 N. Latson Rd. Howell, MI 48843

Board Members Present:

Chairman Bill Bamber, Vice Chairman Mike Coddington, Treasurer Bob Hanvey, Secretary Mark Fosdick, Member Bob Ellis, Attorney Kevin Gentry, Fire Chief Ron Hicks, Asst. Sec/Treas. Laura Walker

Also Present: Lt. Chris Mazer

Chairman Bill Bamber called the meeting to order at 6:01 pm

Approve the minutes of the regular meeting of February 15, 2023: MOTION by Mr. Ellis, SUPPORT by Mr. Coddington to approve the minutes of the regular meeting of February 15, 2023. MOTION CARRIED UNANIMOUSLY.

Call to Public: No Response

Discussion-Follow-up on website updates for Howell Area Fire Authority: Deputy Chief Czubenko reported that we are waiting to get the calendar cleaned up and finalized. Also working on an event to list on the Events page.

Chief's Comments:

- The new command vehicle has been delivered and is in our possession. We cost of the 2023 Chevy Tahoe was \$39,475.00.
- Chief Hicks requested to meet with the Personnel Committee to discuss the 2023/2024 fiscal year budget in a couple of weeks. A copy of the budget will be provided to the committee in advance for review.

Approve payment of Bills and Payroll: MOTION by Mr. Ellis, SUPPORT by Mr. Fosdick to authorize payment of Bills and Payroll in the amount of \$178,851.12. MOTION CARRIED UNANIMOUSLY.

Old Business:

- Presentation by Lt. Mazer regarding efforts to purchase the new Engine by March 1, 2023 as approved by the board at the previous meeting of the Howell Area Fire Authority on 02/15/23. We received 4 bids and reviewed all of the specifications comparing each of the apparatus options, taking into consideration our needs, the cost, and the expected delivery time.
 - HME was the lowest cost option but did not meet our needs for the specifications on the cab in several areas of concern.
 - Spencer could not meet our needs on storage for necessary supplies/tools. We have also had an issue in the past with customer service on another apparatus that we purchased and have concerns about how they may handle any issues with another new truck purchase.
 - Rosenbauer had the longest wheelbase and poor cab design (including multiple blind spots)
 - Sutphen met our needs but had a delivery span of 3 years and 10 months which is too long for us to wait.
 - The Apparatus Committee met to establish a new plan and discovered that Sutphen has a Straight Stick Ladder Truck that would meet our needs for both an engine and a ladder truck. Since we have are

already in the market for a new engine and our ladder truck would need to be replaced next, this option seemed to be the most cost effective and timely solution.

- o Many factors were considered when determining if the straight stick ladder truck would be our best option.
 - Our current ladder truck is too long to use within the downtown Howell area. Most residential neighborhoods are too tight for our current ladder truck to be able to maneuver safely. The straight stick ladder truck has a shorter wheel base than our current ladder truck, making it easier to maneuver and would allow us to access our downtown areas with ease.
 - The cab of the straight stick ladder truck is identical to our current Engines, giving us continuity amongst our apparatuses.
 - The straight stick ladder truck could serve the purpose of an engine as well as a ladder truck due to its size and maneuverability. Given the fact that our ladder truck is 34 years old, the straight stick truck could serve as our ladder truck's replacement as well as the Engine's replacement.
 - It is available for delivery in 24-26 months
 - It carries 500 gallons of water and has the same hose capacity as our engines. This is half of the water capacity as our current engine, but it is certainly sufficient and we can utilize our additional apparatuses on scene for water supply.
- o The Apparatus Committee is requesting approval from the Board to spend up to \$1,500,000 for the purchase of a 75' Straight Stick Ladder Truck.
- Mr. Fosdick asked what we would do if we need to rescue someone from the top of a building and this straight stick truck has no bucket? Lt. Mazer responded that there is a stokes basket that can be used, but NFPA standards don't recommend using hydraulics of a ladder truck to lower a patient. It is recommended that we use a rope system to ensure the safety of the patient during the descent. Fire Marshal Czubenko stated that we don't use the bucket of our current ladder truck for rescue efforts either. We use ladders, which all of our apparatuses are equipped with.
- Mr. Fosdick requested to see a contract and quote for the proposed straight stick ladder. If necessary, a special meeting may be called in order to discuss and approve the purchase of the new ladder truck prior to the next board meeting.
- Mr. Fosdick asked if we found any feedback on fighting solar fires. Chief Hicks responded that no data has been available. FM Czubenko also stated that we would follow our regular Standard Operating Guidelines (SOG's) to ensure the safety of the community and environment, just as we do with any other fire incident.

Adjourn: MOTION by Mr. Ellis, SUPPORT by Mr. Fosdick to adjourn the meeting at 6:50pm.
MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted: _____
Laura Walker, Asst. Secretary/Treasurer

Approved By: _____
Mark Fosdick, Secretary

MONTHLY UPDATE TO THE BOARD

TO: HOWELL AREA FIRE AUTHORITY BOARD OF DIRECTORS
FROM: RON HICKS, FIRE CHIEF
SUBJECT: MONTHLY HAFD REPORT FOR MARCH 2023
DATE: APRIL 19, 2023

During the month of March, the HAFD responded to a total of 153 calls for service. There were 146 calls in March of 2022. The total year-to-date runs for 2023 is 438. Last year's total at the end of March was 466.

Some of the more significant events for the month included:

On March 9th, Howell Firefighters were dispatched to a reported traffic accident on D19 and the E.B. I96 ramp. Upon arrival crews reported a T-Bone crash with one pt. requiring extrication and medical care.

On March 12th, Howell Firefighters were dispatched for a reported structure fire in the 5000 block of Emmons Rd. in Howell Township. Upon arrival crews reported heavy fire on the front porch and in the living room. Crews quickly brought the fire under control. The cause of the fire is believed to be from a fireplace that was in use at the time the fire was reported.

On March 13th, Howell Firefighters were dispatched AMA to Hartland Fire for a reported structure fire in the 7000 block of Green Rd. in Deerfield Township. Upon arrival units reported a 2-story older farmhouse fully involved. Crews assisted with fire ground operations and water supply.

On March 16th, Howell Firefighters were dispatched for a possible car vs pedestrian on W.B. I96 under the M59 overpass in Howell Township. Upon arrival crews were informed by LCA and State Police the pt. had succumbed to his injuries. Crews remained on scene and assisted with traffic control and freeway closure.

On March 22nd Howell firefighters were dispatched AMA to Hartland Fire for a reported structure fire in the 1000 block of Maxfield Rd. in Hartland Township. Upon arrival units reported a working fire in a ranch style home. Crews assisted with fire ground operations and water supply.

Training for the month of March consisted of CPR/AED recertification, Report writing, Tours of automated car wash facilities.

Next meeting of the Howell Area Fire Authority Board is scheduled for Wednesday April 19th, 2023, at 6:00 pm.



Howell Area Fire Department Fire Marshal Division

1211 W Grand River Ave, Howell, MI 48843

office: 517-546-0560 fax: 517-546-6011

firemarshal@howellfire.net

DATE: April 13, 2023
TO: Chief Ron Hicks
Fire Authority Board
FROM: Jamil Czubenko, Deputy Chief/Fire Marshal
REF: March 2023 Month End

The month of March 2023 was busy in the Fire Marshal Division (FMD).

The FMD participated in emergency responses and department training throughout the month.

Planning meetings continue for the 2023 Michigan Challenge Balloonfest, scheduled for June 23-25 and the 63rd Annual Howell Melon Festival, scheduled for August 18-20.

The FD continues to share our safety messages and keeping our customers informed. Our Facebook page has 5,058 current followers. Our Instagram currently has 848 followers where similar messages and images are shared to promote our department.

The FMD has been involved with buyers and sellers of property for vacant property and existing buildings throughout our jurisdiction. A few proposals for projects have been submitted for review and comment. New and renovation construction, along with change of occupancy inspections have continued where we can continue to utilize safe practices for us and our customers.

Our Smoke Detector Program visited 7 homes, where we evaluated and/or installed new equipment.

April 2023 brings us more planning for future projects and various fire prevention events.

INCIDENT NUMBER	INCIDENT TYPE	DATE	LOCATION	APPARATUS
2023-0393	611 - Dispatched & cancelled en route	03/20/2023	1911 TOOLEY RD	STA20
2023-0401	611 - Dispatched & cancelled en route	03/22/2023	1000 AUSTIN CT	STA20
2023-0410	324 - Motor vehicle accident with no injuries.	03/23/2023	4470 WYNNWOOD DR	EN20,LT203,STA20
2023-0413	551 - Assist police or other governmental agency	03/24/2023	5615 N BURKHART RD	BR24,LT24
2023-0414	611 - Dispatched & cancelled en route	03/24/2023	1333 W GRAND RIVER AVE	STA20
2023-0415	522 - Water or steam leak	03/24/2023	3333 W GRAND RIVER	C-202,EN20,FM2,STA20
2023-0420	745 - Alarm system activation, no fire - unintentional	03/25/2023	1045 DURANT DR	FM2,STA20
2023-0425	611 - Dispatched & cancelled en route	03/27/2023	5555 WARNER RD	BR20
2023-0426	611 - Dispatched & cancelled en route	03/27/2023	5555 WARNER RD	BR20,C-2
2023-0429	551 - Assist police or other governmental agency	03/29/2023	5490 OAKMONT DR	BR20,STA20
2023-0432	551 - Assist police or other governmental agency	03/29/2023	1800 N BURKHART RD	BR20,C-202,STA20

Total # Incidents for HOWELL TWP:

41

ZONE: MARION - MARION Twp

2023-0311	631 - Authorized controlled burning	03/03/2023	936 PINGREE RD	BR20,C-2,LT23,STA20
2023-0314	611 - Dispatched & cancelled en route	03/04/2023	2037 BRIGHTON SHORES TRL	EN20
2023-0316	324 - Motor vehicle accident with no injuries.	03/04/2023	1369 W I96	EN20,STA20,STA22
2023-0319	324 - Motor vehicle accident with no injuries.	03/04/2023	135 E I96	BR20,EN21,STA20
2023-0320	551 - Assist police or other governmental agency	03/04/2023	4078 LOVES CREEK DR	BR23,LT23,STA20,U21
2023-0321	324 - Motor vehicle accident with no injuries.	03/04/2023	1369 W I96	C-202,EN20,STA20
2023-0322	324 - Motor vehicle accident with no injuries.	03/04/2023	1358 E I96	EN20,STA20
2023-0324	445 - Arcing, shorted electrical equipment	03/04/2023	1936 TRIANGLE LAKE RD	BR20,BR23,STA20
2023-0325	551 - Assist police or other governmental agency	03/04/2023	3678 JEWELL RD	BR23,EN20,LT23,STA20
2023-0328	600 - Good intent call, other	03/04/2023	480 SEXTON RD	C-202,CPT23,EN20,EN22,R20,STA20,STA22,STA23,STA24
2023-0332	160 - Special outside fire, other	03/05/2023	1936 TRIANGLE LAKE RD	BR20,BR23,CH23,CPT23,STA20,STA23
2023-0333	118 - Trash or rubbish fire, contained	03/05/2023	270 E COON LAKE RD	C-202,CH23,EN23,STA20,STA22,STA23
2023-0338	743 - Smoke detector activation, no fire - unintentional	03/06/2023	3112 W COON LAKE RD	EN23,STA20,STA23
2023-0351	352 - Extrication of victim(s) from vehicle	03/09/2023	PINCKNEY RD	C-202,CPT22,EN20,EN21,EN22,FM2,R20,STA22
2023-0361	311 - Medical assist, assist EMS crew	03/13/2023	3332 CEDAR LAKE RD	BR23,LT23,STA20,STA23
2023-0369	311 - Medical assist, assist EMS crew	03/14/2023	3252 SESAME DR	BR23,STA20

Only REVIEWED incidents included. Archived Zones cannot be unarchived.



INCIDENT NUMBER	INCIDENT TYPE	DATE	LOCATION	APPARATUS
2023-0384	551 - Assist police or other governmental agency	03/16/2023	2931 RUBBINS RD	BR23,CH23,STA20
2023-0386	600 - Good intent call, other	03/17/2023	400 WRIGHT RD	EN23,STA20
2023-0388	600 - Good intent call, other	03/18/2023	1 E COON LAKE RD	CH23,EN20,EN23,STA20,STA23
2023-0394	412 - Gas leak (natural gas or LPG)	03/20/2023	2845 JEWELL RD	C-202,EN20,EN23,STA20,STA23
2023-0400	631 - Authorized controlled burning	03/21/2023	4200 NORTON RD	EN20,STA20
2023-0423	611 - Dispatched & cancelled en route	03/27/2023	4319 CEDAR LAKE RD	STA20
2023-0436	611 - Dispatched & cancelled en route	03/30/2023	168 KEDDLE RD	CPT20,LT23,STA23
2023-0438	412 - Gas leak (natural gas or LPG)	03/30/2023	5609 W COON LAKE RD	EN23,STA20,STA23
2023-0439	745 - Alarm system activation, no fire - unintentional	03/30/2023	56 S BURKHART RD	C-2,STA20
2023-0441	551 - Assist police or other governmental agency	03/31/2023	2743 HIGH MEADOWS DR	BR23,STA20,STA23
2023-0445	551 - Assist police or other governmental agency	03/31/2023	4243 SUNDANCE MDWS	BR23,STA23
2023-0446	553 - Public service	03/31/2023	146 DARVALE DR	BR23,STA23

Total # Incidents for MARION:

28

ZONE: OCEOLA - OCEOLA Twp

2023-0292	412 - Gas leak (natural gas or LPG)	03/01/2023	5642 E HIGHLAND RD	CH20,EN22
2023-0294	745 - Alarm system activation, no fire - unintentional	03/01/2023	5642 E HIGHLAND RD	EN22
2023-0295	611 - Dispatched & cancelled en route	03/01/2023	5642 E HIGHLAND RD	EN22
2023-0296	424 - Carbon monoxide incident	03/01/2023	1087 N LATSON RD	EN22,STA22
2023-0300	114 - Chimney or flue fire, confined to chimney or flue	03/02/2023	2556 KERRIA DR	EN20,EN21,EN22,EN23,EN24,FM2,LT201,STA22,STA23
2023-0303	151 - Outside rubbish, trash or waste fire	03/02/2023	6300 BERGIN RD	EN22,STA22
2023-0323	551 - Assist police or other governmental agency	03/04/2023	1755 GULLEY RD	BR22,CPT22,STA22
2023-0327	311 - Medical assist, assist EMS crew	03/04/2023	3898 JASPER AVE	BR20,BR22,LT22
2023-0330	551 - Assist police or other governmental agency	03/04/2023	3898 JASPER AVE	BR22,EN20
2023-0334	311 - Medical assist, assist EMS crew	03/05/2023	2398 PLEASANT RDG	BR22,LT22,STA22
2023-0341	551 - Assist police or other governmental agency	03/07/2023	154 RAVINE PL	BR22,C-202,STA22
2023-0343	600 - Good Intent call, other	03/07/2023	5202 GREEN RD	CPT22,STA22
2023-0350	611 - Dispatched & cancelled en route	03/09/2023	2588 SPRUCE RIDGE LN	C-202
2023-0355	611 - Dispatched & cancelled en route	03/11/2023	1625 WHITE BLOSSOM LN	EN20,STA22
2023-0387	551 - Assist police or other governmental agency	03/18/2023	962 PINECONE DR	BR20
2023-0390	611 - Dispatched & cancelled en route	03/18/2023	1782 ELDON AVE	STA22
2023-0396	311 - Medical assist, assist EMS crew	03/20/2023	1884 TWIN HILLS DR	BR22,CPT22,STA22
2023-0398	611 - Dispatched & cancelled en route	03/21/2023	1377 CALLAWAY CT	STA22
2023-0399	551 - Assist police or other governmental agency	03/21/2023	1625 HERON LOOP DR	BR22,CPT22,STA22
2023-0404	611 - Dispatched & cancelled en route	03/22/2023	1989 N LATSON RD	C-202,CPT22,EN20,FM2

Only REVIEWED incidents included. Archived Zones cannot be unarchived.



Marion, Howell, Oceola, and Genoa Sewer and Water Authority

System Operational Report



For

April 19th, 2023

MHOG Water Authority Meeting April 19, 2023 at 5:00 PM

AGENDA

1. Approval of the Minutes of March 15, 2023
2. Call to Public
3. Reports
 - Staff Reports: (Greg Tatara)
 - Treasurer (Robin Hunt)
 - Engineer (Gary Markstrom)
 - CPA (Ken Palka)
4. New Business
 - Correspondence
5. Old Business
6. Adjournment

Marion Howell Oceola Genoa

WATER AUTHORITY

MHOG Water Authority Meeting MINUTES

The Marion, Howell, Oceola, Genoa Water Authority met on March 15, 2023 at 5:00 PM. Members present were Bamber, Coddington, Rogers, Counts, Hunt, Hanvey, Henshaw and Lowe

The meeting was called to order by Chairman Hanvey.

A call to the public was held.

A motion was made by Rogers to approve the minutes of the February 15, 2023 meeting. The motion was seconded by Henshaw and carried.

A motion was made by Counts to approve General Fund check # 9489 through 9516 and PR 822-829 totaling \$177,248.89. The motion was seconded by Henshaw and carried.

A motion was made by Coddington to pay \$34,640.00 with check #1023 from the MHOG Capital Reserve Replacement Fund. The motion was seconded by Henshaw and carried.

A motion was made by Counts to pay check # 134 from the Bond Payment Fund for \$1,000.00 and wire \$23,450.00 from the Bond Payment Fund. The motion was seconded by Henshaw and carried.

A motion was made by Counts to pay checks 1031 from the Connection Fee Account for \$800,000.00. The motion was seconded by Henshaw and carried.

A motion was made by Henshaw to adjourn. The motion was seconded by Counts and carried.

William J. Bamber, Secretary



MHOG Utility Department

2911 Dorr Road
Brighton, MI 48116
810-227-5225
www.mhog.org

April 13, 2023

Marion, Howell, Oceola, and Genoa Sewer and Water Authority
1577 North Latson Road
Howell, MI 48843

Subject: M.H.O.G. – April 2023 Board Report

Dear Board Members;

The MHOG System operated well over the past month, despite operators struggling with turbidity in the North Cone, which is now on-line. The front cover picture shows the connection of the new phase of Westbury Apartments to existing main in the Hampton Ridge Subdivision in Genoa Township. This will create a loop between Latson Road and Grand River. Following is a summary of the major activity since the previous meeting.

- New development continued to progress over the past month. Following are some key highlights:
 1. Plan review was completed and a Part 399 permit application was submitted for the Woodland Reserve Subdivision in Oceola Township.
 2. We are editing plans for three additional buildings in the existing Chestnut Woods Apartment Complex on M-59. The developer wanted to only have one two-inch line serve three buildings. We want individual service lines with shut – offs to each building. We have submitted marked up plans and a letter back to their engineer.
 3. We had a kick-off meeting with Granger Construction, who is the contractor for the St. Joe Hospital expansion. Due to having to keep the existing system in service for Woodland, and abandonment of existing water main, there will be quite a bit of staged construction for water main installation and connection to existing infrastructure.
 4. Union at Oak Grove has finally gotten the water main installed. There are several conflicts with footings that need to be addressed, as well services installed on all new main. Unfortunately, due to their delayed progress, all oversight funds have been spent. We have invoiced for additional, but have not received any yet. We have told them effective April 14th, no further construction can continue until addition escrow funds are deposited.
 5. We are awaiting walk through inspections on Datapak, Westbury, and LACASA.

- We met with our GIS consultant to go over maintenance applications for this coming year, updates, and QA / QC of our data. There is a tremendous amount of information in our GIS system, so we want to ensure that it is maintained and kept up to date as well as possible.
- We have made a great deal of progress on the Distribution Material Inventory. We do not want to dig up home yards, so we want to share with the Board the progress made on paper investigation, plans to complete the paper investigation with a summer intern, and a possible plan to have residents document their plumbing and receive a water bill credit.
- An advertisement for bids for cleaning the Marion Hometown Tank and Howell Trans West tank was sent out on 4-7-23. Bids are due May 3, and we will present these at the May 17th Authority meeting.
- The 225KW generator originally from Oak Pointe WTP, was repaired and is stored at the MHOG Plant providing the water group with a large generator for power outages. We want to have another generator as discussed last month, but we have not set up a time with the sales representatives.
- For meter reading, we provided an example of some of the bizarre trouble shooting we get involved with for customer accounts. This also shows how extremely important the auditing of reads is that staff performs. In addition, we still do not have any mxu devices, despite having hundreds on order. We have not had any MXU devices since August of 2021, so we now have 176 manual reads that have to be performed each MHOG billing cycle. Sensus has not been able to provide a date for delivery.
- The Deputy report provides March flow and production data, water loss data, and MISS DIG utility locating information. In addition, there is a quotation from UIS to replace some obsolete equipment to restore communication with the PRV vault as well as a cost estimate to install some storage of gravel and sand materials.
- Due to the tax filing deadline, we did not ask the Authority accountant to prepare a budget report this month. Next month we hope to present a DPW end of year budget to actual as well as 6-month budget to actual for MHOG.

We look forward to discussing the contents of the report in detail with the Board at the regular meeting on April 19, 2023.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Tatara", written in a cursive style.

Greg Tatara
Utility Director

MARION TOWNSHIP
2877 W. COON LAKE ROAD
HOWELL, MI 48843
Phone 517-546-1588
Fax 517-546-6622

TRANSMITTAL

TO: Board of Trustees

DATE April 27, 2023
PROJECT **RZN#01-23 Rezoning**
Mitch Harris
4710-02-400-014,016,017,018
Howell, Mi 48843

VIA Hand Delivery

WE ARE SENDING: Herewith Under Separate Cover

THE FOLLOWING:

- Rezoning request for RZN#01-23 dated 1/30/2023
- Carlisle Wortman review dated 2/14/2023
- Livingston County Planning packet from 4/19/2023

FOR YOUR: approval/ denial as requested
 other review & comment

REMARKS:

The attached material is for final review and approval or denial.

FROM: Dave Hamann, Zoning Administrator

Copy: file

RZN #01-23

**APPLICATION FOR REZONING
MARION TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN**

I/we, the undersigned, do hereby make application to and petition the Marion Township Board to amend the township zoning ordinance and change the zoning map of Marion Township as hereinafter requested. In support of this application, the following facts are shown: .

Name of Applicant Mitch Harris Building Co.
Address 211 N. First Street
City/State/Zip Brighton, MI 48116
Phone/Fax 810-229-7838

If applicant is not the owner, please provide the following, along with a letter of authorization signed by the owner:

Name of Owner Mitch Harris Bld Co.
Address 211 N. First St.
City/State/Zip Brighton, MI 48116
Phone/Fax 810.229.7838

Property Information

Address/Location N/A
Parcel ID # 10-02-400-014, 016, 017 & 018
Parcel Size 90.92 Acres, 174.44 Acres to be Rezoned
If multiple lots, are they contiguous? Yes

Legal description and certificate of survey for land proposed to be rezoned **(please attach)**

Present zoning classification HSC
Requested zoning classification UR

FEE SCHEDULE
\$500 fee
\$3,000 escrow

I hereby attest that the information on this application is, to the best of my knowledge, true and accurate.

[Signature] 1-30-23
Signature of Applicant Date

Office Use Only		<u>Escrow 3000</u>
Date Received: <u>1-31-2023</u>	Fee Paid: <u>500</u>	Legal Description: _____
Materials Received: _____	Site Plans: _____	Application #: _____
Application accepted by: <u>[Signature]</u>		

LEGAL DESCRIPTION: OVERALL PARCEL:

TAX I.D. NUMBERS: 10-02-400-014, 10-02-400-016
10-02-400-017, 10-02-400-018

Commencing at the Southeast corner of Section 2, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan; thence N 01°01'19" W 763.82 feet along the East line of said section 2 to the PLACE OF BEGINNING; THENCE S 88°41'02" W 1281.23 feet; thence N 00°53'25" W 457.78 feet; thence S 88°40'58" W 984.10 feet; thence N 01°22'00" W 1036.00 feet along the East line of "Peavy Road Estates No.1" (Liber 13 of Plats, Pages 24 and 25, Livingston County Records); thence the following two courses along the South line of Outlot "C" of said "Peavy Road Estates No.1": S 88°38'00" W 210.00 feet, and Southwesterly 47.12 feet along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" and having a long chord bearing S 43°38'00" W 42.43 feet; thence N 01°22'00" W 126.00 feet along the West line of said Outlot "C", also being the East line of Peavy Road (100 foot wide Right-of-Way); thence the following two courses along the North line of said Outlot "C": Southeasterly 47.12 feet along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" and having a long chord bearing of S 46°22'00" E 42.43 feet, and N 88°38'00" E 210.00 feet; thence N 01°22'00" W 297.70 feet along said East line of "Peavy Road Estates No. 1"; thence N 88°46'51" E 800.33 feet along the East-West 1#4 line of Section 2; thence N 01°27'29" W 807.94 feet; thence S 88°50'54" W 231.79 feet; thence N 01°30'29" W 949.94 feet; thence along the Southerly Right-of-Way of I-96 Expressway off ramp (Limited Access Highway) the following six courses: (1) S 44°03'44" E 933.22 feet, (2) Southeasterly, non-tangentially 28.20 feet along the arc of a 3199.04 foot radius curve to the right through a central angle of 00°30'18" and having a long chord bearing S 41°23'28" E 28.20 feet, (3) Southeasterly 633.32 feet along the arc of a 1070.92 foot radius compound curve to the right through a central angle of 33°53'00" and having a long chord bearing S 24°11'49" E 624.13 feet, (4) S 07°15'19" E 190.06 feet, (5) Southeasterly 386.81 feet along the arc of a 361.48 foot radius curve to the left through a central angle of 61°18'40" and having a long chord bearing S 37°54'39" E 368.62 feet and (6) S 68°33'59" E 60.47 feet; thence the following two courses along the Westerly line of Pinckney Road (D-19) (103 foot wide 1#2 Right-of-Way Limited Access Highway): Southerly 610.55 feet along the arc of a 819.20 foot radius curve to the left through a central angle of 42°42'10" and having a long chord bearing S 05°10'14" E 596.52 feet and S 26°31'19" E 271.55 feet; thence S 63°28'28" W 226.37 feet; thence S 10°44'08" W 112.36 feet; thence S 60°44'08" W 130.00 feet; thence S 17°07'52" E 88.00 feet; thence S 62°07'52" E 228.00 feet; thence S 74°15'52" E 260.00 feet; thence S 39°44'52" E 125.00 feet; thence S 89°37'52" E 38.19 feet; thence along said Westerly line of Pinckney Road (D-19) Southerly 137.45 feet along the arc of a 1042.92 foot radius curve to the right through a central angle of 07°33'04" and having a long chord bearing S 04°47'51" E 137.35 feet; thence N 88°58'41" E 103.00 feet; thence S 01°01'19" E 207.48 feet along the East line of Section 2, also being the centerline of said Pinckney Road (D-19) to the place of beginning. Being a part of the Northeast fractional 1/4 and a part of the Southeast 1/4 of Section 2, Town 2 North, Range 4 East, Marion, Livingston County, Michigan, and also Outlot "C" of "Peavy Road Estates No. 1" (Liber 13 of plats, pages 24 and 25, Livingston County Records).
Containing 90.92 acres of land, more

LEGAL DESCRIPTION: AREA OF PROPOSED REZONING TO URBAN RESIDENTIAL

Commencing at the Southeast corner of Section 2, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan; thence N 01°01'19" W 763.82 feet along the East line of said section 2; thence S 88°41'02" W 838.40 feet to the PLACE OF BEGINNING; thence continuing S 88°41'02" W, 442.83 feet; thence N 00°53'25" W 457.78 feet; thence S 88°40'58" W 984.10 feet; thence N 01°22'00" W 1036.00 feet along the East line of "Peavy Road Estates No.1" (Liber 13 of Plats, Pages 24 and 25, Livingston County Records); thence the following two courses along the South line of Outlot "C" of said "Peavy Road Estates No.1": S 88°38'00" W 210.00 feet, and Southwesterly 47.12 feet along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" and having a long chord bearing S 43°38'00" W 42.43 feet; thence N 01°22'00" W 126.00 feet along the West line of said Outlot "C", also being the East line of Peavy Road (100 foot wide Right-of-Way); thence the following two courses along the North line of said Outlot "C": Southeasterly 47.12 feet along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" and having a long chord bearing of S 46°22'00" E 42.43 feet, and N 88°38'00" E 210.00 feet; thence N 01°22'00" W 297.70 feet along said East line of "Peavy Road Estates No. 1"; thence N 88°46'51" E 800.33 feet along the East-West 1#4 line of Section 2; thence N 01°27'29" W 807.94 feet; thence S 88°50'54" W 231.79 feet; thence N 01°30'29" W 949.94 feet; thence along the Southerly Right-of-Way of I-96 Expressway off ramp (Limited Access Highway) the following six courses: (1) S 44°03'44" E 933.22 feet, (2) Southeasterly, non-tangentially 28.20 feet along the arc of a 3199.04 foot radius curve to the right through a central angle of 00°30'18" and having a long chord bearing S 41°23'28" E 28.20 feet, (3) Southeasterly 633.32 feet along the arc of a 1070.92 foot radius compound curve to the right through a central angle of 33°53'00" and having a long chord bearing S 24°11'49" E 624.13 feet, (4) S 07°15'19" E 190.06 feet, (5) Southeasterly 386.81 feet along the arc of a 361.48 foot radius curve to the left through a central angle of 61°18'40" and having a long chord bearing S 37°54'39" E 368.62 feet and (6) S 68°33'59" E 60.47 feet; thence along the Westerly line of Pinckney Road (D-19) (103 foot wide 1#2 Right-of-Way Limited Access Highway): Southerly 156.08 feet along the arc of a 819.20 foot radius curve to the left through a central angle of 10°54'59" and having a long chord bearing S 10°43'21" W 155.84 feet; thence S 62°15'30" W 330.00 feet; thence S 01°18'58" E 1525.04 feet to the POINT OF BEGINNING. Being a part of the Northeast fractional 1/4 and a part of the Southeast 1/4 of Section 2, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan, and also Outlot "C" of "Peavy Road Estates No. 1" (Liber 13 of plats, pages 24 and 25, Livingston County Records). Containing 74.44 acres of land, more

LEGAL DESCRIPTION: AREA OF PARCEL TO REMAIN ZONED HSC:

Commencing at the Southeast corner of Section 2, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan; thence N 01°01'19" W 763.82 feet along the East line of said section 2 to the PLACE OF BEGINNING; thence S 88°41'02" W 838.40 feet; thence N 01°18'58" W 1525.04 feet; thence N 62°15'30" E 330.00 feet; thence the following two courses along the Westerly line of Pinckney Road (D-19) (103 foot wide 1#2 Right-of-Way Limited Access Highway): Southerly 454.47 feet along the arc of a 819.20 foot radius curve to the left through a central angle of 31°47'11" and having a long chord bearing S 10°37'44" E 448.67 feet and S 26°31'19" E 271.55 feet; thence S 63°28'28" W 226.37 feet; thence S 10°44'08" W 112.36 feet; thence S 60°44'08" W 130.00 feet; thence S 17°07'52" E 88.00 feet; thence S 62°07'52" E 228.00 feet; thence S 74°15'52" E 260.00 feet; thence S 39°44'52" E 125.00 feet; thence S 89°37'52" E 38.19 feet; thence along said Westerly line of Pinckney Road (D-19) Southerly 137.45 feet along the arc of a 1042.92 foot radius curve to the right through a central angle of 07°33'04" and having a long chord bearing S 04°47'51" E 137.35 feet; thence N 88°58'41" E 103.00 feet; thence S 01°01'19" E 207.48 feet along the East line of Section 2, also being the centerline of said Pinckney Road (D-19) to the place of beginning. Being a part of Southeast 1/4 of Section 2, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Containing 16.48 acres of land, more or less



ACE
CIVIL ENGINEERING, LLC

January 30, 2023

Marion Township Planning Commission
2877 W. Coon Lake Road
Howell, Mi. 48843

Re: Proposed Rezoning Request for the Mitch Harris Building Co.

Dear Planning Commission Members:

The Mitch Harris Building Company is proposing rezoning 74.44 acres of land located in Section 2 of Marion Township from Highway Service (HS) to Urban Residential (UR). Reasons for the proposed rezoning request are as follows:

- #1 The property is surrounded by D-19 on the North side, Peavy Road Estates (Residential ERS) on the South Side. The Meadows Condominium (Residential UR) on the East side and I-96 and vacant SR zoned property on the West side. By rezoning the property as requested there would be a transition from lower density residential to higher density residential to commercial property. As it sits now the lower density property for Peavy Road Estates No. 1 to the South and the vacant SR zoned property to the West are immediately adjacent to the Highway Service District and provide no transition buffering.
- #2 The property is a combination of upland areas and wetland areas and has "The Marion 5" and "The Marion Genoa" County Drains running through it. Access to the site from D-19 is restricted by a limited access right of way in favor of the Michigan Department of Transportation (MDOT). Contact was made with MDOT and it was verified in the attached email dated January 10, 2023 that they will not allow a driveway connection in the limited access right of way area. As a result, there is no viable driveway access that can be achieved off of D-19. The site will need to be accessed through existing outlots provided in "The Meadows Condominium" and "Peavy Road Estates No. 1". With the access to the site being necessary through the existing residential areas, the current Highway Service zoning would cause higher undesirable traffic (including trucks) through the existing residential areas than the proposed zoning of Urban Residential. The request for rezoning would be an improvement for the negative effects of potential future traffic.

5055 Lindemere Drive, Fowlerville, MI. 48836
(517) 545-4141
acecivilllc@gmail.com

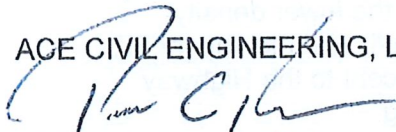
#3 With the recent Pandemic and advanced software technology that allows more and more people to work and shop from home, the need for retail box stores is dimensioning. As a result there is already a fair amount of retail type properties in the Howell, Brighton and Latson corridor area that are currently vacant. The demand for more Highway Service type properties in the area is low. By rezoning the property to Urban Residential the property would be better suited for the community's demands.

#4 Attached is a conceptual site plan for the Meadows North project that shows a rough idea of how we are envisioning the property being developed under the proposed UR zoning. The project would be an expansion of "The Meadows" project.

We look forward to discussing the information with you in detail at a future planning commission meeting.

Sincerely,

ACE CIVIL ENGINEERING, LLC



Patrick C. Keough, P.E.
President



Patrick Keough <acecivillc@gmail.com>

PROPOSE MEADOWS NORTH CONDOMINIUMS MARION TOWNSHIP

3 messages

Patrick Keough <acecivillc@gmail.com>
To: "Heidelberg Craig (MDOT)" <heidelbergc@michigan.gov>

Tue, Jan 10, 2023 at 11:31 AM

Hi Craig:

I left you a voicemail and I am also sending the attached drawings for your reference. I am not sure if this is your department so if it is not can you let me know who I should contact. I am working with the Mitch Harris Building Company on the proposed Meadows North project. There was some preliminary work done on the project approximately 20 years ago which included an access on to D-19 near the I-96 interchange. I believe MDOT may have a limited access easement in the area of the proposed intersection to the development shown on the concept drawings. Can you let us know if there is an easement in place and if it would or would not be possible to have an access as shown on the concept plan. If you have any questions please feel free to contact me at your convenience.


Thanks! Pat

ACE CIVIL ENGINEERING, LLC
Patrick C. Keough, P.E.
President

email: acecivillc@gmail.com
Office Phone: 517-545-4141
Cell Phone: 517-404-0786

2 attachments

 **BASE PLAN(12-19-22).pdf**
269K

 **BASE PLAN(12-19-22)-WITH AERIAL.pdf**
2253K

Heidelberg, Craig (MDOT) <HeidelbergC@michigan.gov>
To: Patrick Keough <acecivillc@gmail.com>
Cc: "Goryl, Mike" <mgoryl@livingstonroads.org>, "Fournier, Laurent (MDOT)" <FournierL@michigan.gov>

Tue, Jan 10, 2023 at 2:26 PM

Hello Patrick,

Attached is the MDOT Right Of Way (ROW) sheet. MDOT does have Limited Access ROW along in the southwest quadrant of D-19 and I-96. If the proposed driveway access is within the Limited Access ROW, we would not permit it. Hard to say for sure, but it appears the proposed driveway is within the limited access ROW. But even if it is not within the limited access ROW, MDOT would want to coordinate a Traffic Impact Study review, with the Livingston County Road Commission, on whether a driveway could be permitted.

Let me know if there are any questions

Thank you

Craig Heidelberg, P.E.

MDOT Brighton TSC

Operations Engineer

810-623-8341 C

From: Patrick Keough <acecivillc@gmail.com>
Sent: Tuesday, January 10, 2023 11:32 AM
To: Heidelberg, Craig (MDOT) <HeidelbergC@michigan.gov>
Subject: PROPOSE MEADOWS NORTH CONDOMINIUMS MARION TOWNSHIP

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

[Quoted text hidden]

3 attachments



BASE PLAN(12-19-22).pdf

269K



BASE PLAN(12-19-22)-WITH AERIAL.pdf

2253K



sheet034.pdf

209K

Patrick Keough <acecivillc@gmail.com>
To: Mitch Harris <mharris@mitchharris.net>

Tue, Jan 17, 2023 at 11:39 AM

Thank you for the information.
ACE CIVIL ENGINEERING,LLC
Patrick C. Keough, P.E.
President

email: acecivillc@gmail.com
Office Phone: 517-545-4141
Cell Phone: 517-404-0786



PROPOSED ZONING CHANGE HSC TO UR

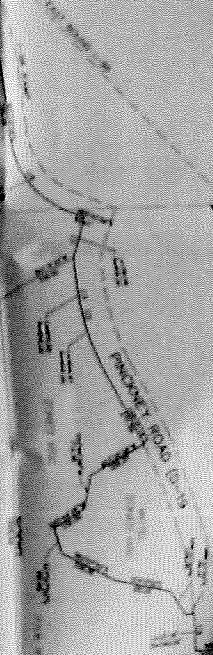
PROPOSED ZONING CHANGE HSC TO UR

MITCH HARRIS BUILDING COMPANY

PROPOSED REZONING PLAN

WASHINGTON, DISTRICT OF COLUMBIA

PROPOSED ZONING CHANGE HSC TO UR



NO.	DESCRIPTION	AREA	PERCENTAGE
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50



ACE
CIVIL ENGINEERING, LLC

March 02, 2023

Marion Township Planning Commission
2877 W. Coon Lake Road
Howell, Mi. 48843

Re: Proposed Rezoning Request for the Mitch Harris Building Co.

Dear Planning Commission Members:


Based on public comment received at the public hearing held on Tuesday February 28, 2023 for the proposed re-zoning change for the Mitch Harris property identified as Tax I.D. Parcels 4710-02-400-014,016,017 & 018, The Mitch Harris Building Company would be agreeable to placing a condition on the re-zoning as follows:

#1 The property being re-zoned will not use a general private or public roadway connection through the existing Meadows Condominium project along Spirea Lane.

#2 If a connection through Spirea Lane is required by the governing fire authority, it will be set up with a gate that is controlled by the fire authority and will not be open for the use of the general public.

We believe that the above condition will address a significant number of the comments that were raised at the public hearing and will help in developing the property in a safe manner. We look forward to seeing you at the next planning commission meeting and would ask that you recommend the re-zoning request with the attached condition.

Sincerely,

ACE CIVIL ENGINEERING, LLC


Patrick C. Keough, P.E.
President



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

February 14, 2023

Zoning Map Amendment (Rezoning) Review for Marion Township, Michigan

PETITION INTRODUCTION

Case Number: RZN 01-23
Applicant: Mitch Harris for Mitch Harris Building Company
Request: Zoning Map Amendment
Location: West side of Pinckney/D-19, south of I-96
Parcel Number: 10-02-400-014/016/017/018

PETITION DESCRIPTION

The applicant is requesting a zoning map amendment (*also known as rezoning*) for all or portions of 4 properties from the HS Highway Service and SR Suburban Residential districts to the UR Urban district.

The zoning map amendment is in anticipation of development of the site for residential uses.

This application has not been submitted as a conditional zoning map amendment.

The proposed UR Urban Residential district would significantly increase the number of potential residential uses and significantly reduce the number of potential commercial or personal service uses.

The minimum lot area, minimum frontage, and minimum setbacks (*excluding setback from Pinckney right-of-way*) would be significantly reduced. The maximum lot coverage would be slightly reduced. There would be no change to maximum building height.

For zoning map amendments, the Planning Commission makes a recommendation that is forwarded to the Livingston County Planning Commission for review and comment and to Township Board for final action.

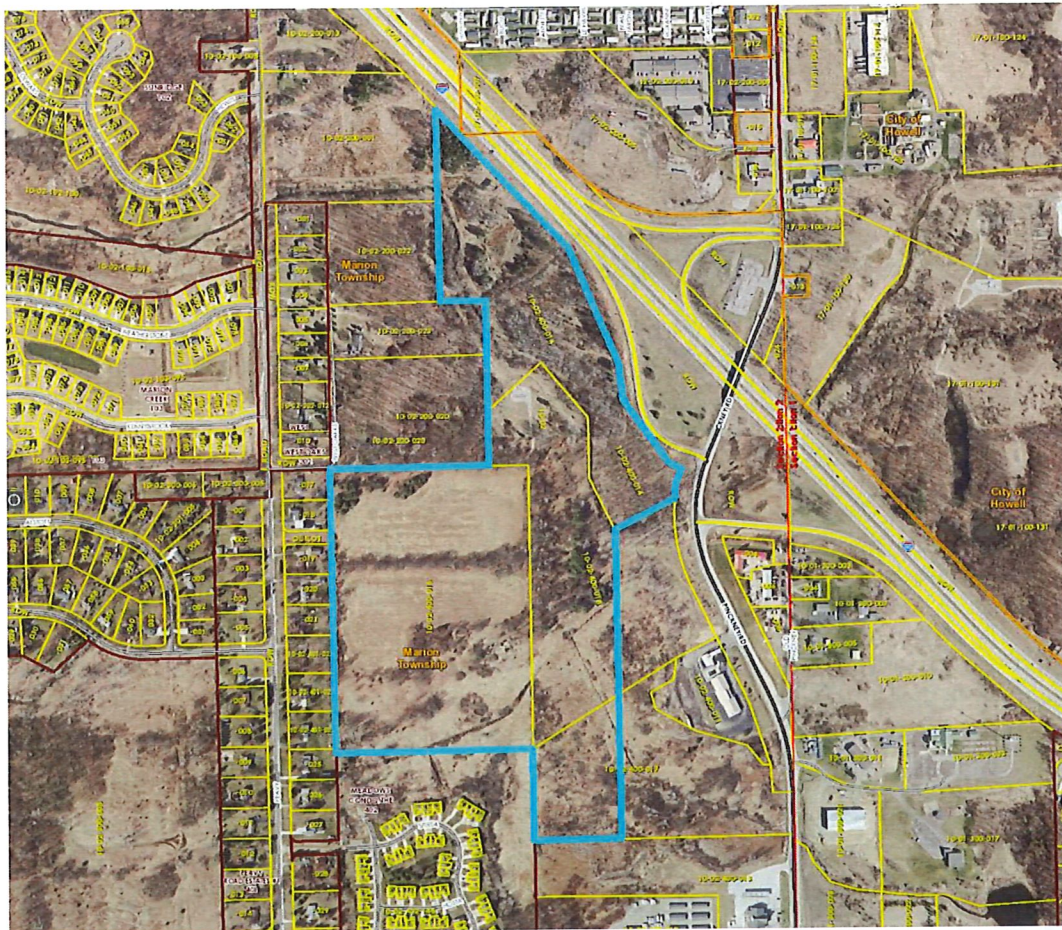
This review focuses on planning and zoning issues related to the requested zoning map amendment. Comments related engineering, transportation, or legal issues are deferred to other agencies and entities.

Benjamin R. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*
David Scurto, *Principal* Sally M. Elmiger, *Principal* R. Donald Wortman, *Principal*
Paul Montagno, *Principal*, Megan Masson-Minock, *Principal*, Laura Kreps, *Senior Associate*
Richard K. Carlisle, *Past President/Senior Principal*

PROPERTY INFORMATION

Address: n/a
Location: West side of Pinckney/D-19, south of I-96
Parcel Number: 10-02-400-014/016/017/018
Lot Area: 90.92 acres (total properties)
74.44 acres (area to be rezoned)
Frontage: 1,075 feet (total properties along Pinckney/D-19)
1,075 feet (area to be rezoned along Pinckney/D-19)
Access points on the west side from Peavy and Spirea
Existing Land Use: Vacant/undeveloped
Natural gas gate station

Aerial of the Site



ZONING DISTRICT INTENT **§8.02(A)/§8.03(A)/9.01(A)**

Summaries of the intent and purpose of the current and proposed zoning districts are below.

Current Zoning	<p>HS Highway Service</p> <p><i>The Highway Service District (HS) is intended to accommodate retail business and service activities which serve the particular needs of the highway traveler and/or meet the consumer needs of a more regional population than that of Marion Township, and, therefore, the access to arterial thoroughfares is critical. The intent of this District is to provide for retail businesses, personal, and business service establishments and small warehouses developed along major arterial roads in a fashion that minimizes traffic congestion, traffic conflicts, and traffic hazards. It is not the intent of this District to provide for general retail and related commercial uses that cater more to local consumer needs; such needs are extensively addressed by the commercial services available in nearby City of Howell.</i></p> <hr/> <p>SR Suburban Residential</p> <p><i>It is the intent of the Suburban Residential District (SR) to provide opportunities for higher density residential development typically associated with a suburban land use pattern. This district includes areas of the Township, which are currently served by a higher level of public services as compared to most of the balance of the Township, and these additional services permit a higher intensity of residential development while protecting the public health, safety, and welfare. This District is intended to implement the planned future land use pattern of the Marion Township Master Plan in the northern portion of the Township where a Suburban Residential Area is proposed and intended to accommodate residential developments of a density of one (1) dwelling unit per .75 acre or greater. The Suburban Residential District is intended to both permit the development of suitable vacant land for residential purposes while also preserving the residential character of existing area neighborhoods. The Suburban Residential District includes existing crop operations and recognizes this land use for its important contribution to the local economic base, to the provision of food and fiber for the state's citizens, and for the historical character and open spaces it provides without having a negative impact on neighboring residential uses</i></p>
Proposed Zoning	<p>UR Urban Residential</p> <p><i>It is the intent of the Urban Residential District (UR) to provide for housing densities of a more urban character than otherwise permitted in other Zoning districts established in this Ordinance. Permitted land uses within this District are established based on the greater availability of public services (public water and sewer facilities) within this District which are capable of accommodating the particular demands of higher density residential land uses. It is the intent of this District to stabilize, protect, and encourage the residential character of the District and prohibit activities not compatible with high-density single-family and multiple-family residences. The Urban Residential District is intended to exist only within the Urban Services District identified in the Marion Township Master Plan as it is only here that the public services are expected to be adequate to accommodate the needs of these higher intensity land uses. This District is not intended to be established within any portion of the Urban Services District where existing public services are not adequate to address the demands of these more intensive land uses unless the necessary services are also established concurrent with the establishment of the land use.</i></p>

POTENTIAL USES **§8.03(B//D)/§9.01(B//D)**

If the zoning map amendment is approved, the property could be used for any of the potential permitted uses, special uses, or accessory uses in the UR Urban Residential district.

A summary of those uses, taken from §8.03(B) Uses Permitted by Right, §8.03(C) Permitted Accessory Uses, and §8.03(D) Uses Permitted by Special Use Permit, is below. A summary of the potential permitted uses, special land uses, and accessory uses in the current HS Highway Service district, taken from §9.01(B) Uses Permitted by Right, §9.01(C) Accessory Uses, and §9.01(D) Uses Permitted by Special Use Permit, is also included. See the Zoning Ordinance for the complete list of uses.

New uses in the proposed zoning district that are not listed in the current zoning district are noted in green. Uses in the current zoning district that are not included in the proposed zoning district are noted with red.

Permitted Uses	Current	Proposed
	HS	UR
<i>Adult foster care home</i>	-	P
<i>Family child care home</i>	-	P
<i>Single-family dwelling</i>	-	P
<i>Two-family dwelling</i>	-	P

Special Uses	Current	Proposed
	HS	UR
<i>Adult foster care small group home</i>	-	S
<i>Adult foster care large group home</i>	-	S
<i>Bed and breakfast</i>	-	S
<i>Child care center</i>	-	S
<i>Communication tower</i>	S	S
<i>Golf course and country club</i>	-	S
<i>Group child care home</i>	-	S
<i>Hobby kennel</i>	-	S
<i>Hospital</i>	-	S
<i>Multiple-family dwelling</i>	-	S
<i>Nursing or convalescent home</i>	-	S
<i>Place of worship</i>	-	S
<i>Private recreational facility</i>	-	S
<i>Public facility</i>	S	S
<i>School</i>	-	S

Accessory Uses	Current	Proposed
	HS	UR
<i>Accessory building or structure</i>	A	A
<i>Automobile parking</i>	A	A
<i>Home occupation, Class I</i>	-	A

Prohibited Uses <i>(uses listed in the HS district but not in the UR district)</i>	Current	Proposed
	HS	UR
<i>Adult entertainment</i>	S	-
<i>Automobile car wash</i>	P	-
<i>Automobile dealership</i>	P	-
<i>Automobile fueling/mixed-use station</i>	S	-
<i>Automobile repair</i>	S	-
<i>Billboard</i>	S	-
<i>Cabinet making</i>	P	-
<i>Catering or bakery</i>	P	-
<i>Convenience store</i>	P	-
<i>Contractor storage yard</i>	P	-
<i>Crematories</i>	P	-
<i>Drive-in establishment</i>	S	-
<i>Funeral home</i>	P	-
<i>Hardware store</i>	P	-
<i>Household equipment sales</i>	P	-
<i>Mini-storage facility</i>	P	-
<i>Monument sales or manufacturing</i>	P	-
<i>Motel or hotel</i>	S	-
<i>Office (professional or medical)</i>	P	-
<i>Open air business</i>	S	-
<i>Recreation facility, indoor</i>		-
<i>Recreation facility, outdoor</i>	S	-
<i>Restaurant, club, or other drinking establishment</i>	P	-
<i>Sign</i>	A	-
<i>Wholesale distribution</i>	P	-

SR Suburban Residential uses are omitted from above, as they are substantially similar to uses in the UR Urban Residential district.

DEVELOPMENTAL STANDARDS

§§8.02(E)/8.03(E)/§9.01(E)

A summary of the developmental standards for the current and proposed zoning districts is below.

The minimum lot area, frontage, front setback, side setback, and rear setback would be significantly smaller. Maximum lot coverage would be slightly smaller. Maximum building height and minimum front setback from Pinckney would remain the same.

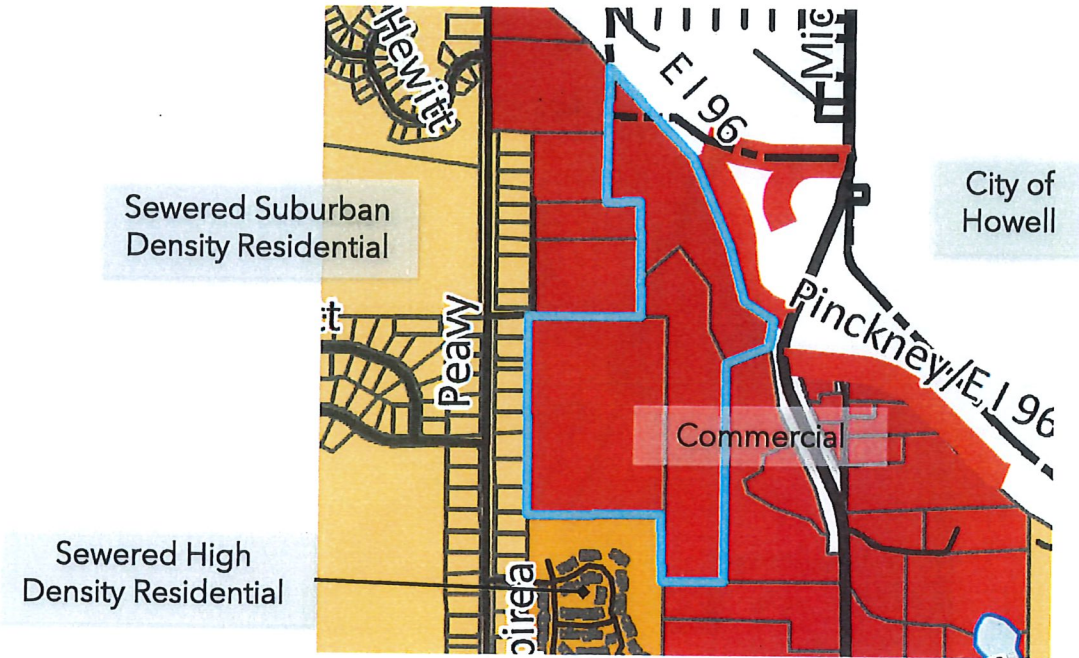
	Current		Proposed
	HS	SR	UR
Lot Area	1 acre	32,760 square feet/ 20,000 square feet	15,000 square feet
Frontage	150 feet	85 feet to 120 feet	75 feet
Lot Coverage	40 percent	35 percent	35 percent
Front Setback	80 feet 100 feet (<i>Pinckney</i>)	35 feet to 70 feet 100 feet (<i>Pinckney</i>)	30 feet 100 feet (<i>Pinckney</i>)
Side Setback	25 feet 35 feet (<i>residential</i>)	15 feet	15 feet
Rear Setback	40 feet	25 feet	25 feet
Building Height	35 feet	35 feet	35 feet

FUTURE LAND USE MAP

The site is within the Commercial area.

<p>Future Land Use</p>	<p>Commercial</p> <p><i>The intent of the Commercial future land use category is to concentrate future commercial uses within the Township Proposed Water/Sewer Boundary and around the highway interchange for ease of transportation access to and from establishments and to serve a regional customer base. Locating future Commercial development adjacent to the interchange and D-19, the major arterial in Marion Township, will minimize traffic congestion, traffic conflict and traffic hazards and will keep nonresidential uses contiguous to the commercial services of the City of Howell. Traffic generated by commercial uses will also benefit from a future paved roadway that will connect D-19 to Peavy Road just south of the interchange. The Commercial future land use designation encompasses 238 acres of land. The bulk of this land area surrounds the I-96 interchange extending south to Francis Road and west to Peavy Road. It includes land area on both sides of D-19. Another small node of commercial is noted near the southern boundary of the Township, at the northwest corner of the Schafer Road and D-19 intersection where existing commercial is present. Lastly, small commercially-designated Township parcels are scattered amongst City of Howell properties along Mason Road and Michigan Avenue. Developmental Densities within the Commercial future land use designation should not exceed one building or structure per one acre.</i></p> <p>Corresponding Zoning District: <i>HS Highway Service</i></p>
-------------------------------	---

Future Land Use Map



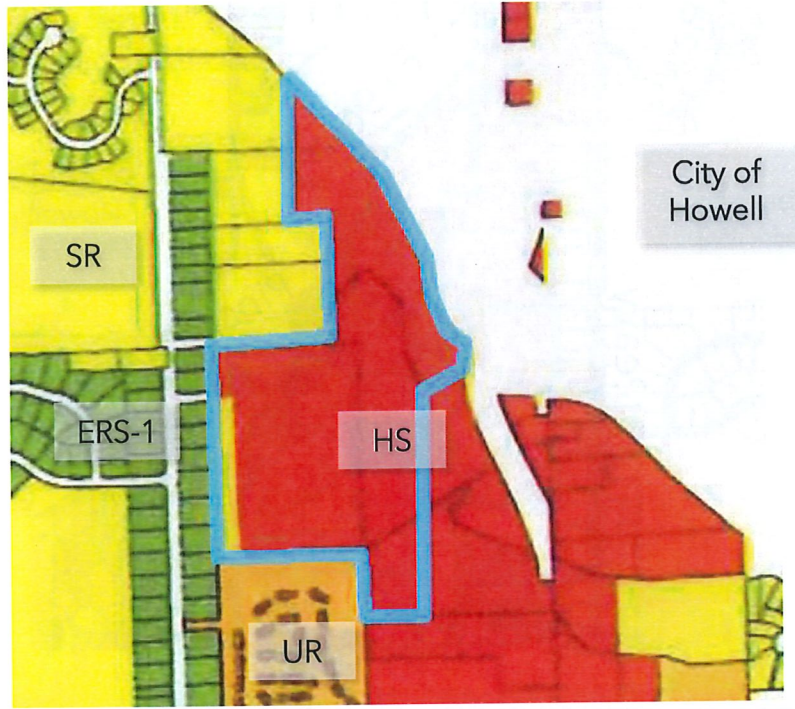
SURROUNDING PROPERTIES

The surrounding properties to the south, to the east, and to the north along Pinckney/D-19 across I-96 and to the east across Pinckney/D-19 are general commercial uses. The surrounding properties to the west and to the south are a mix of single-family dwellings and multiple-family dwellings.

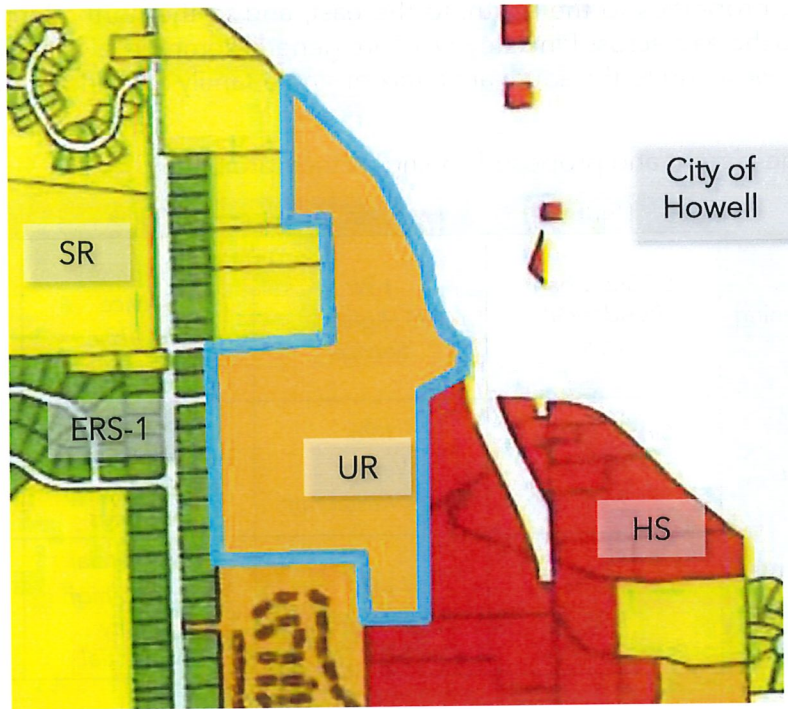
Maps showing the current and proposed zoning districts are below.

	North	East	South	West
Surrounding Zoning	SR Suburban Residential I-96	I-96 HS Highway Service	HS Highway Service UR Urban Residential	SR Suburban Residential ERS-1 Established Residential Subdivision-1
Surrounding Land Uses	Single-family dwellings I-96	I-96 Vacant Hotel/Restaurant	Gas station/ convenience store Multiple-family dwellings	Single-family dwellings
Future Land-Use Map	Commercial I-96	I-96 Commercial	Commercial Sewered high density residential	Commercial Sewered suburban density residential

Current Zoning Map



Proposed Zoning Map



DECISION CRITERIA

§20.05(2)

The zoning map amendment process is briefly described in MCL 125.3202, which outlines the notice process and provides the authority for local governments to define the manner for changing district boundaries by ordinance.

The processes and criteria for changing the zoning text or zoning map are outlined in Article XX Amendments of Zoning Ordinance. The Planning Commission holds a public hearing and makes a recommendation. This recommendation is forwarded to the Livingston County Planning Commission for review and comment and to the Township Board for action.

The guidelines for zoning map amendments, from §20.05(2)), are examined below. Additional information may be shared or discovered at the public hearing.

a) What, if any, identifiable conditions related to the application have changed which justify the proposed rezoning?

Comments: We are unaware of any specific conditions that have changed relative to the site.

The development of more-intensive residential projects in the area has demonstrated a desire for that type of use and product.

Recent changes in consumer trends, especially following Covid-19, have reduced the demand for commercial space in general.

b) What is the impact of the rezoning on the ability of the Township and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed rezoning is approved?

Comments: The impact of the development of the site using the requested UR Urban Residential district rather than the current HS Highway Service district is likely to have a negligible impact on some services and facilities, such as roads, water, and sanitary sewer.

Residential uses generally tend to require more police and fire services per acre than commercial uses. Additional comments on specific police and fire service capacity or impact deferred to those agencies.

Development of the site using the requested UR Urban Residential district would likely place greater demand on the schools. However, additional students also mean additional financial support for public schools. Additional comments on school capacity deferred to the schools.

On a per acre basis, commercial uses tend to provide more revenues than residential uses. The site represents a significant portion of the area designated Commercial in the Future Land Use Map. Additional comments on Township finances are deferred to Township officials.

c) Does the requested rezoning adversely affect environmental conditions, or the value of the surrounding property?

Comments: *The requested UR Urban Residential district does not appear likely to create a more adverse impact on the environmental conditions or value of surrounding properties than the current HS Highway Service district. It would significantly reduce the number of potential commercial uses, which generally create a greater impact on the environment and value than residential uses. The requested UR Urban Residential district would likely create a greater impact on the environment and value of surrounding properties than other less-intense residential districts.*

d) Does the petitioned district change generally comply with the adopted Township Master Plan?

Comment: *The requested UR Urban Residential district would represent a deviation from the Future Land Use Map in the Township's Master Plan, which calls for the site to be within the HS Highway Service district, based on its location along I-96 and proximity to the interchange. The site represents a majority of the area in the Future Land Use map designated for Commercial in the Township.*

The Master Plan, in general, envisions more intensive uses and districts, such as the UR Urban Residential district, being located closer to the City of Howell.

e) Can the property in question be put to a reasonable economic use in the zoning district in which it is presently located?

Comment: *Because of its proximity to Howell and the I-96 interchange, it should be possible to reasonably use the property in the HS Highway Service district.*

We have not conducted or received a commercial market analysis at this time.

SUMMARY AND COMMENTS

The requested zoning map amendment deviates from the Future Land Use Map, which includes this site within the Commercial area, corresponding with the HS Highway Service district. It is generally consistent with the Master Plan's vision of locating more-intensive uses closer to the City of Howell.

There would be an increase in the potential number of residential uses and a decrease in the potential number of general commercial and personal service.

The minimum lot area, minimum frontage, and minimum setbacks (*excluding setback from Pinckney right-of-way*) would be significantly reduced. The maximum lot coverage would be slightly reduced. There would be no change to maximum building height.

Because this has not been submitted as a conditional zoning map amendment, the Township cannot place any conditions on approval. The site could be developed in a manner consistent with the plans submitted by the applicant or in a different manner.

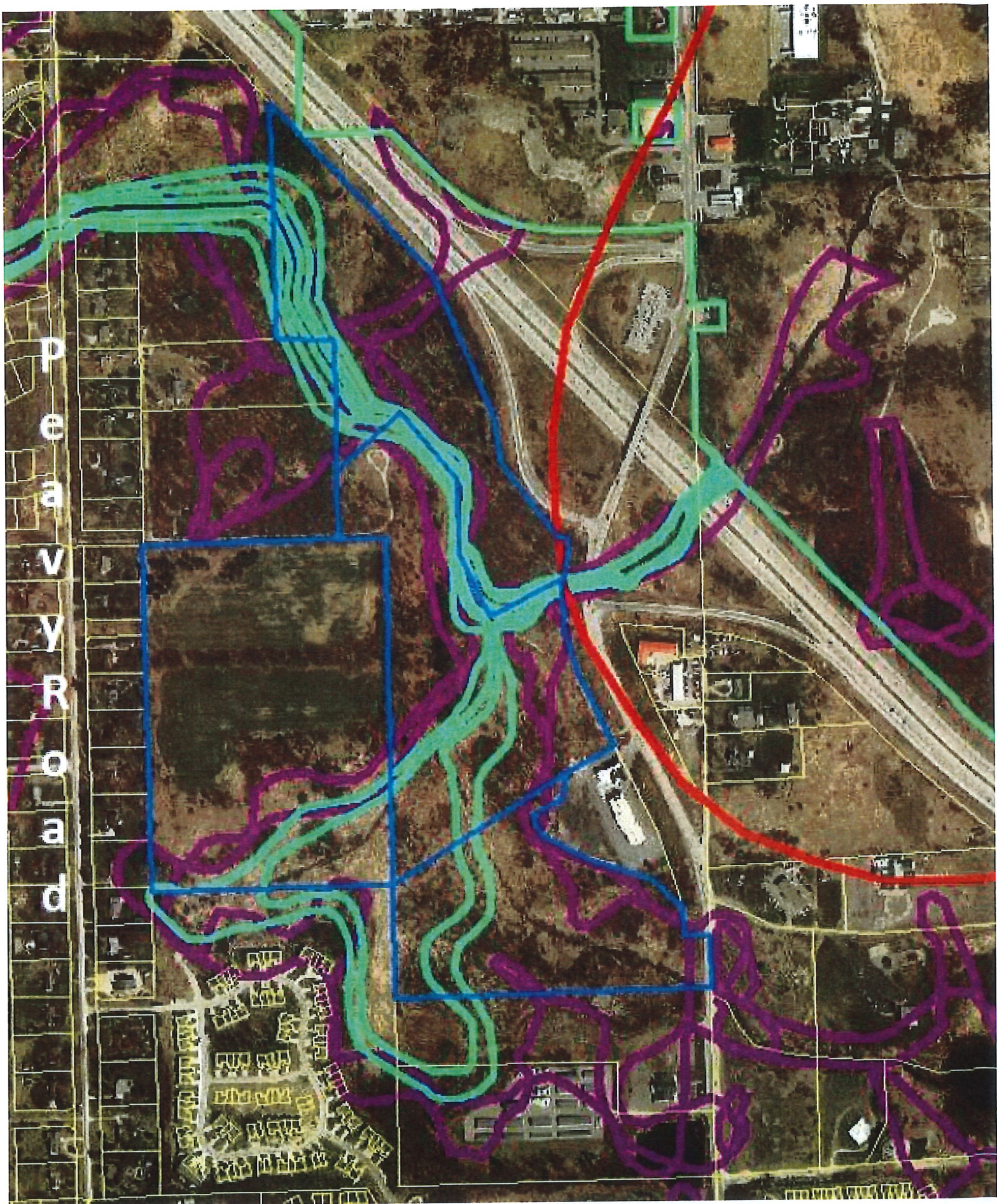
Mitch Harris Building Company
Zoning Map Amendment Review
February 14, 2023

If the zoning map amendment is adopted, any future development of the site should be conditioned (*at that time*) on the property boundaries being changed to be consistent with the zoning district boundaries.

The Planning Commission's recommendation is forwarded to the Livingston County Planning Commission for review and comment and to the Township Board for action.



CARLISLE/WORTMAN ASSOC., INC.
Zach Michels, AICP
Planner



Peaverry Road



Livingston County Department of Planning

April 20, 2023

Marion Township Board of Trustees
c/o Tammy Beal, Township Clerk
Marion Township Hall - 2877 West Coon Lake Road
Howell, MI 48843

Kathleen J. Kline-Hudson
AICP, PEM
Director

**Re: County Planning Commission Review of Rezoning
Case Z-18-23: HS-Highway Service to UR-Urban Residential**

Robert A. Stanford
AICP, PEM
Principal Planner

Dear Board Members:

Scott Barb
PEM
Principal Planner

The Livingston County Planning Commission met on Wednesday, April 19, 2023 and reviewed the rezoning request referenced above. The County Planning Commissioners made the following recommendation:

Z-18-23 – Approval With Conditions.

While the proposed rezoning to Urban Residential is not consistent with the Township Master Plan designation for the subject parcel, it would, however, be compatible with the urbanized, residential nature of the immediately surrounding area and would create a more suitable economic and land use solution for this subject site.

Staff would concur with the township Planning Commission recommendation of Approval with Conditions, conditions being those offered by the applicant as provided in Exhibit A of this review.

Staff would highly recommend and encourage the township to consider approving this proposed rezoning with the conditions that it be developed as a Residential Planned Unit Development (PUD) for the reasons stated in the review. A PUD would allow both the applicant and the township with much more flexibility in site development alternatives, given the level of potential undesirable environmental conflicts and concerns also raised in the review.

An especially important decision will also need to be made by the Township Board to determine whether to, and how to, compensate the significant loss of both future planned commercial areas as well as solar farm overlay areas that will occur in conjunction with an approval to residential for the subject site. Additionally, should the Township Board approve this rezoning, this will necessitate an amendment to be made to the Township Master Plan's Future Land Use chapter, pertaining specifically to the township's Commercial future land use section. The current version of the Plan highlights specific future planning activities directly related to this subject parcel.

Department Information

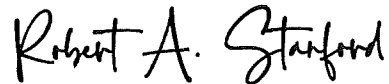
Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

•
(517) 546-7555
Fax (517) 552-2347

•
Web Site
co.livingston.mi.us

Copies of the staff reviews as well as draft Livingston County Planning Commission meeting minutes are enclosed. Please do not hesitate to contact our office should you have any questions regarding county actions.

Sincerely,



Robert Stanford, Principal Planner, AICP

Enclosures

c: Larry Grunn, Chair, Marion Township Planning Commission
Dave Hamann, Zoning Administrator, Marion Township

Additional minutes and agendas are available at: <https://www.livgov.com/plan/Pages/meetings.asp>

DRAFT
LIVINGSTON COUNTY PLANNING
COMMISSION MEETING MINUTES

April 19, 2023

6:30 p.m.

Hybrid In-Person and Virtual Zoom Meeting

Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

PLANNING COMMISSION			
COMMISSIONERS PRESENT:	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> BILL ANDERSON MATT IKLE DENNIS BOWDOIN MARGARET BURKHOLDER </td> <td style="width: 50%; border: none;"> PAUL FUNK JASON SCHROCK BILL CALL </td> </tr> </table>	BILL ANDERSON MATT IKLE DENNIS BOWDOIN MARGARET BURKHOLDER	PAUL FUNK JASON SCHROCK BILL CALL
BILL ANDERSON MATT IKLE DENNIS BOWDOIN MARGARET BURKHOLDER	PAUL FUNK JASON SCHROCK BILL CALL		
COMMISSIONERS ABSENT:			
STAFF PRESENT:	SCOTT BARB ROB STANFORD		
OTHERS PRESENT:	BRUCE POWELLSON – MARION TOWNSHIP; TROY LANGER – HARTLAND TWP PLANNING DIRECTOR; RICHARD PARKER -MARION TOWNSHIP; MARK MYNSBERGE – MARION TOWNSHIP; PATRICK KEOGH – ACE CIVIL ENGINEERING; KATHLEEN KLINE-HUDSON; MARTHA HAGLUND; ERIN HARMON – IOSCO TWP; JOANN HAAS – COHOCTAH TWP. ZOOM ONLINE: KDC, KELLY, KEN C., TF, ROB PORTER, NORRIS HARDEMAN		

1. **CALL TO ORDER:** Meeting was called to order by Planning Commissioner Anderson at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** None.
4. **APPROVAL OF AGENDA**

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE AMENDED AGENDA, DATED APRIL 19, 2023, SECONDED BY COMMISSIONER IKLE.
All in favor, motion passed 7-0.

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE MINUTES, DATED MARCH 15, 2023, SECONDED BY COMMISSIONER BOWDOIN.
All in favor, motion passed 7-0.

6. **CALL TO THE PUBLIC:** None.

7. ZONING REVIEWS:

A. Z-17-23 HARTLAND TOWNSHIP, TEXT AMENDMENT TO THE ZONING ORDINANCE:
ARTICLE 5 SITE STANDARDS, SECTION 5 VARIOUS LANDSCAPING CHANGES.

The Hartland Township Planning Commission is proposing to amend several sections of the Township Ordinance that address various components of landscaping. Staff has reviewed the proposed amendments for accuracy and compatibility with the existing ordinance language and offers the following summary for your review.

Township Planning Commission Recommendation: Approval. The Hartland Township held a public hearing on the proposed amendments on March 9, 2023. Meeting minutes have not been completed at time of this writing.

Staff Recommendation: Approval. The proposed landscaping amendments are an appropriate addition to the Township Ordinance.

Commission Discussion: None.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER SCHROCK TO RECOMMEND APPROVAL AS AMENDED, SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 7-0

B. Z-18-23 MARION TOWNSHIP, CONDITIONAL REZONING, HS HIGHWAY SERVICE DISTRICT TO UR-URBAN RESIDENTIAL DISTRICT, SECTION 2.

Current Zoning: HS Highway Service District
Proposed Zoning: UR Urban Residential District
Section 2

Township Master Plan: The Future Land Use plan and map of Marion Township (2021) designates the site as Commercial. The Township Master Plan further describes these area in the following manner (p. 72).

The intent of the Commercial future land use category is to concentrate future commercial uses within the Township Proposed Water/Sewer Boundary and around the highway interchange for ease of transportation access to and from establishments and to serve a regional customer base. Locating future Commercial development adjacent to the interchange and D-19, the major arterial in Marion Township, will minimize traffic congestion, traffic conflict and traffic hazards and will keep nonresidential uses contiguous to the commercial services of the City of Howell. Traffic generated by commercial uses will also benefit from a future paved roadway that will connect D-19 to Peavy Road just south of the interchange.

The Commercial future land use designation encompasses 238 acres of land. The bulk of this land area surrounds the I-96 interchange extending south to Francis Road and west to Peavy Road. It includes land area on both sides of D-19. Another small node of commercial is noted near the southern boundary of the Township, at the northwest corner of the Schafer Road and D-19 intersection where existing commercial is present. Lastly, small commercially designated Township parcels are scattered amongst City of Howell properties along Mason Road and Michigan Avenue.

Developmental densities within the Commercial future land use designation should not exceed one building or structure per one acre. The Commercial future land use category corresponds to the HS Highway Service District of the Marion Township Zoning Ordinance.

Township Planning Commission Recommendation: Approval with Conditions. The Marion Township Planning Commission recommended Approval with Conditions of this Rezoning at its February 28, 2023 Public Hearing.

Staff Recommendation: Approval with Conditions. While the proposed rezoning to Urban Residential is not consistent with the Township Master Plan designation for the subject parcel, it would, however, be generally compatible with the urbanized, residential nature of the immediately surrounding area and would create a more suitable economic and land use solution for this subject site.

Staff would concur with the township Planning Commission recommendation of Approval with Conditions, conditions being those offered by the applicant as provided in Exhibit A of this review.

In addition, staff would highly recommend and encourage the township to consider approving this proposed rezoning with the conditions that it be developed as a Residential Planned Unit Development (PUD) for the reasons stated in the review. A PUD would allow both the applicant and the township with much more flexibility in site development alternatives, given the level of potential undesirable environmental conflicts and concerns also raised in the review.

A very important decision will also need to be made by the Township Board to determine whether to, and how to, compensate the significant loss of both future planned commercial areas as well as solar farm overlay areas that will occur in conjunction with an approval to residential for the subject site.

Commission Discussion: Commissioner Call asked for justification for not following the master plan. Commissioner Funk asked about timing of the project and how it correlates with the community solar energy decision in the Township. Principal Planner Stanford stated that the Township Zoning Administrator informed him that other developments have been presented on this parcel before, as there is a significant amount of land to be lost to potential commercial and/or residential development. Commissioner Bowdoin asked if the proximity of the Howell racetrack is a land use conflict with this potential development and if the solar energy overlay is being eliminated due to this project. Commissioner Funk asked if the subject acreage would be more valuable if it is rezoned to residential. Commissioner Anderson asked about a future paved road connecting D-19 to Peavy Road. Commissioner Funk stated that traffic counts would drive the location of traffic lights and suggest that the Township document the number of new residences. Commissioner Ikle stated that he thought the development would need two points of access.

Public Comment: Pat Keogh with Ace Civil Engineering spoke and gave a brief history of the property that is being considered for rezoning. Mr. Keogh explained that wetlands are an issue on the property from an access standpoint and that is why residential is being pursued rather than commercial, although the applicant has the ability to develop the property as they wish under the current zoning designation. Joanne Haas, Cohoctah Township, asked if they are going to consider other locations if solar becomes less significant. Mark Mynesberge, resident of The Meadows, is in support of the development and would rather see residential instead of another commercial land use. Bruce Powellson, Marion Township, stated there is a bridge being rebuilt on Peavy Road, and that Kettle Road is being used for access to this development and that there needs to be a permanent traffic light at this intersection. The area under consideration was zoned as UR-Urban Residential in the past, and then rezoned to HS-Highway Service. Traffic counts have continued to increase significantly.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO APPROVE WITH CONDITIONS, SECONDED BY COMMISSIONER IKLE.

Motion passed: 7-0

8. **OLD BUSINESS:** None.

9. **NEW BUSINESS:**

- A. **WELCOME MARGARET BURKHOLDER, INDUSTRIAL REPRESENTATIVE ON PLANNING COMMISSION:** The Planning Department and Commission welcome Margaret Burkholder to her new position on the Livingston County Planning Commission.
- B. **BRIAN PROKUDA CERTIFICATE OF RECOGNITION FOR NINETEEN YEARS OF SERVICE ON THE LIVINGSTON COUNTY PLANNING COMMISSION:** The Planning Department and Commission formally recognize Brian Prokuda for his nineteen years of service on the Livingston County Planning Commission. **(MOVED TO TOP OF AGENDA AS AMENDED).**

10. **REPORTS:** None.

11. **COMMISSIONERS HEARD AND CALL TO THE PUBLIC:** Commissioner Funk asked what the Planning Commission can do about educating the locals on solar energy. Commissioner Bowdoin stated that our local planning commission visits have been helpful in keeping them advised of issues.

12. **ADJOURNMENT:**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO ADJOURN THE MEETING AT 8:15 P.M., SECONDED BY COMMISSIONER CALL.

Motion passed: 7-0



**LIVINGSTON COUNTY PLANNING DEPARTMENT
REZONING REQUEST - | CONDITIONAL
STAFF REPORT**

**CASE NUMBER:
Z-18-23**


COUNTY CASE NUMBER:	Z-18-22	TOWNSHIP:	Marion Township
REPORT DATE:	April 1, 2023	SECTION NUMBER:	2
STAFF ANALYSIS BY:	Robert Stanford	TOTAL ACREAGE:	89.87 Acres

APPLICANT / OWNER:	Mitch Harris/Mitch Harris
LOCATION / PARCEL ID:	W. side of Pinckney/D-19, S. of I-96 / Parcel Numbers: 4710-02-400-014/016, 017, 018
LAND USE:	Vacant, Natural gas gate station

CURRENT ZONING:	REQUESTED ZONING:
HS-Highway Service District	UR-Urban Residential District
PERMITTED/SPECIAL USES (Not all inclusive):	PERMITTED/SPECIAL USES (Not all inclusive):
<p>HS Permitted: Not Limited to-</p> <p>Professional offices, medical and dental clinics, Standard restaurants, clubs, and other drinking establishments that provide food or drink for consumption on the premises and may also provide dancing and entertainment, Automobile dealerships, Automobile car washes, Convenience stores, Indoor commercial recreation facilities, Mini-storage facilities, Household equipment rentals, Wholesale distribution.</p>	<p>Permitted: Not Limited to-</p> <p>Single-family dwellings, Family child care homes, Adult foster care family homes, Accessory buildings, Crop operations, Nursery operation of retail sales of nursery stock grown on the site.</p>
<p>HS Special: Not Limited to-</p> <p>Public facilities, including municipal buildings, schools, libraries, recreational facilities, and similar uses and activities, Automobile repair garage, Automobile fueling/mixed-use station, Drive-in establishments including but not limited to retail or service establishments including restaurants, financial institutions and similar facilities, Motels and hotels, Open air business uses.</p>	<p>Special: Not Limited to-</p> <p>Public facilities, including parks, municipal buildings, schools, libraries, recreational facilities, and similar uses and activities, Public, parochial, and private elementary, intermediate and/or high schools, and institutions of higher learning, offering courses in general education, Bed and breakfast establishments, Cemeteries and/or mausoleums, Child care centers, Churches and religious institutions, Communication towers, Group child care homes, Golf courses and country clubs, Commercial kennels, Private recreational facilities, Two-family dwellings.</p>
<p>Minimum Lot Area:</p> <p>HS: 1 Acre</p>	<p>Minimum Lot Area:</p> <p>15,000 square feet (0.34 Ac.)</p>

TOWNSHIP PLANNING COMMISSION RECOMMENDATION AND PUBLIC COMMENTS:	ESSENTIAL FACILITIES AND ACCESS:
<p>The Marion Township Planning Commission recommended APPROVAL WITH CONDITIONS of this Rezoning at its February 28, 2023 Public Hearing.</p> <p>Conditions of Approval of the proposed rezoning were properly proposed by applicant and are related to a second ingress, egress location associated with The Meadows subdivision and Spirea Lane and are presented in this review as "EXHIBIT A – CONDITIONS LETTER" (see page 8 of this review).</p>	<p>Water: The site is serviced by public water (MHOG)</p> <p>Sewer: The site is serviced by public sewer (MHOG)</p> <p>Access: Proposed access to subject site via Peavy Road</p>

EXISTING LAND USE, ZONING AND MASTER PLAN DESIGNATION:

		Land Use:	Zoning:	Master Plan:
Subject Site:		Vacant	Highway Service	Commercial
	To the North:	SF Residential/I-96	SR Suburban Residential/ I-96	Commercial/I-96
	To the East:	Vacant/I-96/Hotel-Restaurant	HS Highway Service/ I-96	Commercial/I-96
	To the South:	Gas Station-Convenience Store/MF Residential	HS Highway Service/ UR Urban Residential	Commercial/Sewered High Density Residential
	To the West:	SF Residential	SR Suburban Residential/ERS-1 Established Residential Subdivision 1	Commercial/Sewered Suburban Density Residential

ENVIRONMENTAL CONDITIONS:

Soils / Topography:	Miami loam soils, (2 to 6 percent slopes) are the predominant soils on northern and central portions of the subject site (Parcels -014 and -016). These soil types are well drained and have good stability for building and development purposes. The entire southern parcel and portions of the south central parcels (Parcels -016, -017, and -018) are dominated by Carlisle muck soils.
Wetlands:	<p>The Michigan DEQ Wetlands Inventory and National Wetlands Inventory (NWI) indicates a large wetlands complex located on the subject site (refer to wetlands map (olive colored areas) at right).</p> <p>The wetlands on site are characterized as palustrine emergent wetlands. Emergent wetlands are a transitional area between permanently wet and dry environments. It is a place where the land "emerges" from the water to join the forest and the plants that grow there "emerge" from the water. Emergent vegetation commonly includes cattails, bulrushes, reeds, pickerel weed, arrowheads and ferns. Scrub-shrub wetland is dominated by woody vegetation less than 20 feet tall, such as buttonbush, alders, and many kinds of saplings. Forested palustrine wetland is dominated by woody vegetation over 20 feet tall.</p> <p>The identified wetlands also coincide with two main county drains that run through the property, the Marion No.5 Drain and the Marion and Genoa Drain (See "Hydric Soils/County Drain Issues" in Staff Comments).</p>
County Priority Natural Areas:	According to the map "Livingston County's High-Quality Natural Areas" (2021), there are no High-Quality Natural Areas on the subject site.



TOWNSHIP MASTER PLAN DESIGNATION:

The Future Land Use plan and map of Marion Township (2021) designates the site as *Commercial*. The Township Master Plan further describes these area in the following manner (p. 72).

The intent of the Commercial future land use category is to concentrate future commercial uses within the Township Proposed Water/Sewer Boundary and around the highway interchange for ease of transportation access to and from establishments and to serve a regional customer base. Locating future Commercial development adjacent to the interchange and D-19, the major arterial in Marion Township, will minimize traffic congestion, traffic conflict and traffic hazards and will keep nonresidential uses contiguous to the commercial services of the City of Howell. Traffic generated by commercial uses will also benefit from a future paved roadway that will connect D-19 to Peavy Road just south of the interchange.

The Commercial future land use designation encompasses 238 acres of land. The bulk of this land area surrounds the I-96 interchange extending south to Francis Road and west to Peavy Road. It includes land area on both sides of D-19. Another small node of commercial is noted near the southern boundary of the Township, at the northwest corner of the Schafer Road and D-19 intersection where existing commercial is present. Lastly, small commercially-designated Township parcels are scattered amongst City of Howell properties along Mason Road and Michigan Avenue.

Developmental Densities within the Commercial future land use designation should not exceed one building or structure per one acre. The Commercial future land use category corresponds to the HS Highway Service District of the Marion Township Zoning Ordinance.

COUNTY COMPREHENSIVE PLAN:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within Livingston County. Alternatively, it offers a county-wide land use perspective when reviewing potential rezoning amendments. The Land Use & Growth Management chapter of the plan includes decision-making recommendations regarding potential land use conflicts and promoting good land governance.

COUNTY PLANNING STAFF COMMENTS:

The applicant has requested consideration by the Marion Township Planning Commission for an UR-Urban Residential rezoning designation. Current zoning is HS-Highway Service (Commercial). This application has been submitted as a conditional zoning map amendment (See: "Exhibit A: Conditions Letter" on page 8 of this review).

In a letter dated January 30, 2023, Patrick Keough, P.E., President of ACE Civil Engineering, LLC, and representative for the applicant, explains the reasoning for the rezoning request. The four (4) points identified in the letter are summarized below:

- *By rezoning the property as requested there would be a transition from lower density residential to higher density residential to commercial property. As it sits now the lower density property for Peavy Road Estates No. 1 to the South and the vacant SR zoned property to the West are immediately adjacent to the Highway Service District and provide no transition buffering.*
- *The property is a combination of upland areas and wetland areas and has "The Marion 5" and "The Marion Genoa" County Drains running through it. Access to the site from D-19 is restricted by a limited access right of way in favor of the Michigan Department of Transportation (MDOT). Contact was made with MDOT and it was verified that they will not allow a driveway connection in the limited access right of way area. As a result, there is no viable driveway access that can be achieved off of D-19. The site will need to be accessed through existing outlets provided in "The Meadows Condominium" and "Peavy Road Estates No. 1". With the access to the site being necessary through the existing residential areas, the current Highway Service zoning would cause higher undesirable traffic (including trucks) through the existing residential areas than the proposed zoning of Urban Residential. The request for rezoning would be an improvement for the negative effects of potential future traffic.*
- *With the recent Pandemic and advanced software technology that allows more and more people to work and shop from home, the need for retail box stores is [diminishing]. As a result, there is already a fair amount of retail type properties in the Howell, Brighton and Latson corridor area that are currently vacant. The demand for more Highway Service type properties in the area is low. By rezoning the property to Urban Residential the property would be better suited for the community's demands.*
- *The project would be an expansion of "The Meadows" project, which is the existing subdivision that lies to the immediate south of the subject parcels that is zoned UR-Urban Residential.*

STAFF CONCERNS:**Hydric Soils/ County Drain Issues**

The subject parcels occupy lands that have two main county drains that run through them along the easterly portions of the site. Two two drains are identified as:

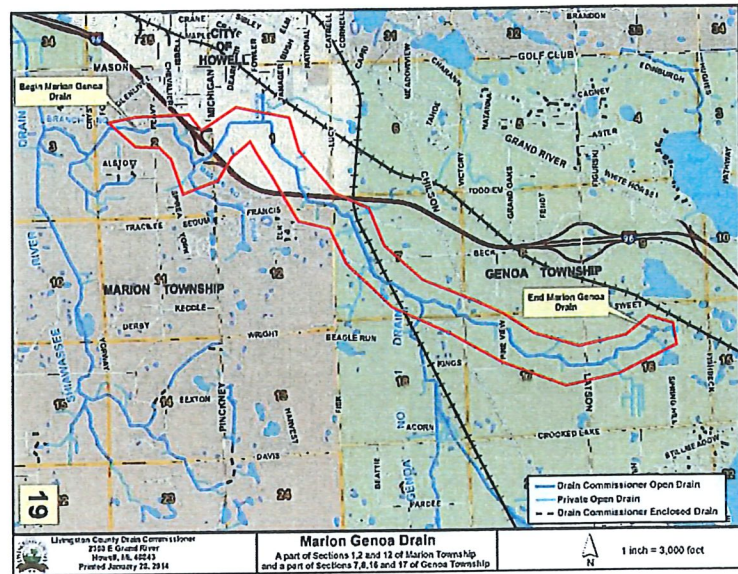
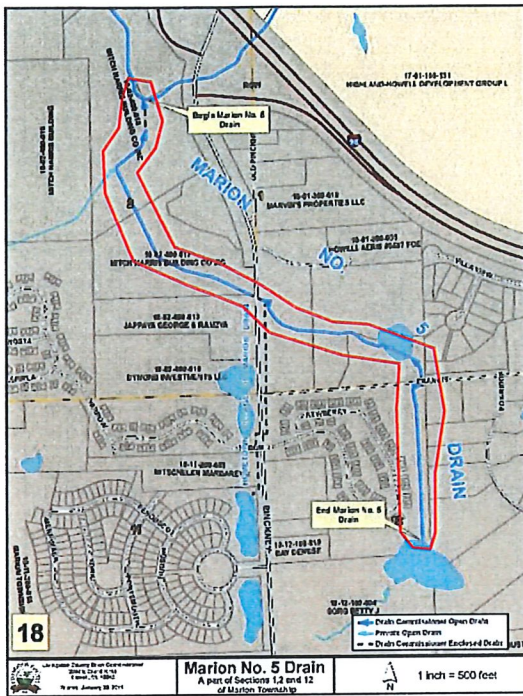
- Marion Drain No. 5
- Marion and Genoa Drain

Marion No. 5 drain runs a total length of 4,833 feet and is located entirely within Marion Twp, Sections 1, 2, and 12. It was established in 1886. It is responsible for draining a large percentage of the area lying immediately south of the I-96/ D-19 interchange corridor.

Marion and Genoa Drain runs a total length of 33,649 feet, of which 15,005 feet of the entire run is located with Marion Township (Sections 1 and 2). It was established in 1905. It is responsible for draining a large percent of the northern tiers of both Marion and Genoa Townships.

The presence of these drains, their age, and their relatively close proximity to the remaining uplands portion of the of the subject site (assumed to be where any major development will occur) present some serious environmental concerns for any future intensive land use development.

The maps on the following page identify the entire run length of these two drainage courses.



Flood Zone Issues



The subject parcels occupy lands within a significant floodplain, characterized by the AE-level flood zone designation (associated with the Marion No. 5 and Marion Genoa drains).

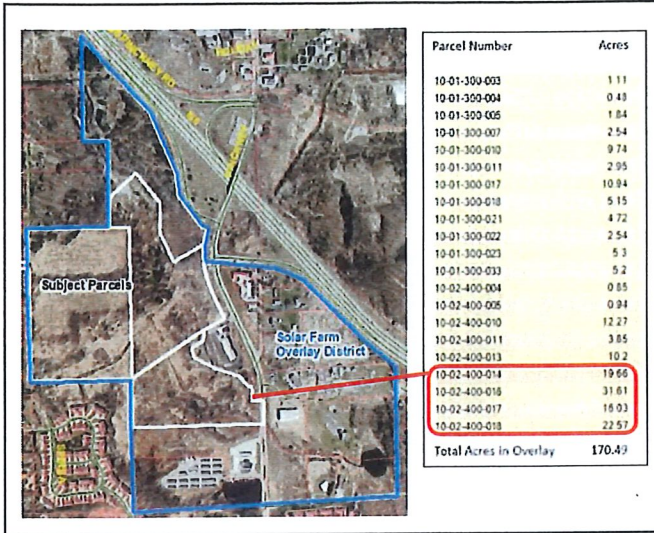
Flood Zone AE are areas that have a 1% risk of flooding annually with a 26% risk of flooding over the course of a 30-year mortgage. Homes in Flood Zone AE may be close to floodplains, rivers, and lakes or in a low-lying region. Zone AE of the many Special Flood Hazard Areas defined by the FEMA.

Homeowners in this flood zone must get flood insurance, and not just because they face a high risk for floods. The area is subject to mandatory purchase requirements, so federally backed or regulated lenders can only offer mortgages to homeowners who have a policy.

Homes built in Flood Zone AE must meet the following regulations:

- The lowest level of the home must be at or above the base flood elevation (BFE) or the height floodwaters are expected to rise during a base flood.
- Enclosed areas below the BFE, like a basement, cannot be used as a living area.
- All electrical, plumbing, and HVAC equipment must be kept above the BFE.

Township Solar Farm Overlay District



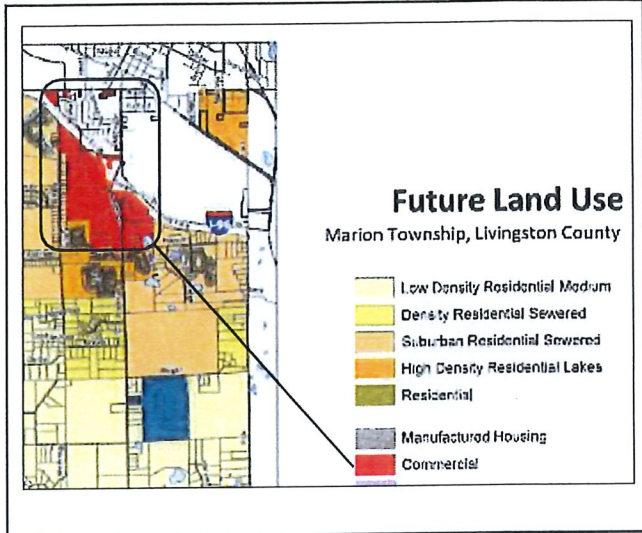
In March 2023, Marion Township approved its Township Solar Farm Overlay District. The boundaries of the district are shown in blue outline in the map above.

As the map and the table show, the total acreage planned for the township solar farm overlay is 170.49 acres

The proposed rezoning would significantly reduce acreage of this planned area by approximately 90 acres. (52.7% of area)

The remaining acreage planned for the township solar farm would be approximately 80 acres. However, much of this remaining acreage also includes already existing commercial structures, parking lots, etc.

Significant Loss of Township Master Plan-designated Commercial Area



Approximately 238 Acres are planned for Commercial land use on the Township Future Land Use Map. A large share of that area already has commercial development presently (along east side of D-19 and along Mason Road = ~128 acres). The proposed rezoning would significantly reduce the entire remaining amount of available vacant commercial planned parcels in the township:

Total commercial FLU in Twp:	238 acres (100%)
Currently occupied by commercial ELU:	120 acres (52%)
Currently remaining vacant commercial ELU	118 acres (48%)
Proposed rezoning (all vacant)	90 acres (36%)
Remaining vacant FLU Commercial (post rezoning)	28 acres (11%)

Traffic Volumes: Annual Average Daily Traffic Volumes: Tracilee Drive to Mason Road (2-way)

AADT – Annual Average Daily Traffic		
Year	AADT	Volume Trend: Annual Growth
2019	1,460	6%
2015	1,160	3%
2013	1,090	5%
2012	1,040	8%
2009	830	0%

Source: SEMCOG (2023)

Traffic volumes along Peavy Road in the immediate vicinity of this rezoning proposal have steadily increased over the years as indicated by the data in the table at left.

Any type of planned development, of any magnitude of intensity other than what is present currently for the subject site area will no doubt have serious impacts on the Level of Service of Peavy Road, and the ability for traffic to move along it safely and efficiently in the future.

Common Trip Generation Rates (pm peak hour)	
Unit Type	Round Trips Per Unit
Single-Family Detached Housing	0.99
Residential PUD	0.69
General Office Building 1,000 Sq. Ft.	1.15
Small Office Building 1,000 Sq. Ft.	2.45
Shopping Center 1,000 Sq. Ft.	3.81

Source: Institute of Transportation Engineers (Trip Generation Manual, 10th edition)



Additionally, representatives for the applicant have inquired about the possibility of utilizing access to the subject site from D-19, in the general area of the I-96 freeway interchange.

In an email correspondence dated January 10, 2023 provided by the township for this case between the applicant's representative, Mr. Patrick Keough, with ACE Civil Engineering LLC, and Mr. Craig Heidelberg, with MDOT, inquiry was made pertaining to the possibility of gaining access to the subject parcel via an MDOT Limited Access easement (ROW) along D-19. In the email exchange, Mr. Heidelberg provided Mr. Keough with a copy of the MDOT ROW Plan for this interchange and pointed out that while there is an MDOT Limited Access easement in the southwest quadrant of D-19 and I-96, if the proposed driveway is within the Limited Access easement, MDOT would not permit it. He goes on to state that even if the driveway isn't within the Limited Access easement, MDOT would want to coordinate a Traffic Impact study review, coordinated with the Livingston County Road Commission, on whether a driveway could be permitted.

CONCLUDING STAFF COMMENTS:

The requested UR Urban Residential district would represent a deviation from the Future Land Use Map in the Township's Master Plan, which calls for the site to be within the HS Highway Service district, based on its location along I-96 and proximity to the interchange. The site represents most of the area in the Future Land Use map designated for Commercial in the Township. The Master Plan, in general, envisions more intensive uses and districts, such as the UR Urban Residential district, being located closer to the City of Howell.

On a per acre basis, commercial uses tend to provide more revenues than residential uses. However, there is some sense that, as pointed out by the applicant's representative, recent changes in consumer trends, especially following Covid-19, have reduced the demand for commercial space in general.

The UR zoning designation would be a reasonable option, given that it would serve somewhat as an extension to the currently UR-zoned "The Meadows" subdivision located immediately adjacent to the subject site to the south. However, as highlighted throughout this review, there are several concerns related to any future intensive development occurring at this location.

There are flooding concerns. As highlighted in this review, the subject site location has a vast number of environmental issues associated with it, largely related to two main county drains running through the entire eastern portions of it. Therefore, any new increased level of either commercial or residential development and the impervious surface associated with it proposed for this site, carries with it critical environmental concerns to consider.

There are traffic concerns. As highlighted in this review, there may or may not be an option to access the subject site via D-19, near the I-96 interchange. Any proposal to do so would require the applicant to submit a comprehensive impact traffic analysis review, which would need to be coordinated between MDOT and the Livingston County Road Commission, on whether an ingress/egress access point could be permitted. Also, as shown in this review, current traffic levels on Peavy road have steadily increased since 2009 (a 75.9% increase from 2009 to 2019). If the subject site were developed as residential, realistically approximately 25-30 percent of the parcel could be developed in this fashion (~27-33 acres), given the sensitive environmental characteristics of the parcel that need to remain undisturbed. Therefore, developing the site under UR zoning (15,000 sq. ft. minimum lot area), approximately 72 to 95 single-family homes could be developed. Utilizing the ITE trip generation data provided in the table on page 5, this would translate to adding an additional 72 to 95 daily vehicle roundtrips to Peavy Road. Commercial development would amount to over double that number (if Peavy Road were the only access point). Of course, this is just an approximation, as the development could certainly be larger in reality.

The Township also just completed a lengthy comprehensive planning process in March 2023, in which they determined the geographic location planned for the Township Solar Farm Overlay District. The boundaries of this approximate 170 acre overlay district incorporate the entire 90 acres of this proposed rezoning. These parcels represent the largest contiguous area that is also vacant at the present time. If these parcels were removed from this district, the remaining approximate 80 acre area of the district would consist of parcels already largely occupied by some form of commercial activity. Any solar development would most likely be conducted in some form of shared, or mixed-use, arrangement with these parcels.

Lastly, there are concerns regarding the possible significant loss of available township lands for future commercial development. As shown in the calculation provided on page 5 of this review, there will only be approximately 28 acres of vacant, commercial-zoned land available in the Township should this rezoning be approved.

Therefore, given all the concerns raised by staff regarding this rezoning, perhaps a better alternative for the Township and the applicant to consider may be rezoning to a Planned Unit Development (PUD) overlay with an Urban Residential underlying zoning, rather than a traditional UR rezoning. This subject site fits well within the intended nature of the township's Planned Unit Development Overlay District, as the District's Intent Statement points out:

Intent: The planned unit development provisions of this Ordinance are intended to allow flexibility in the design of residential neighborhoods to encourage the conservation of natural features such as, but not limited to, woodlots, slopes, meadows, floodplains, and wetland areas and achieve economies of design related to vehicular and pedestrian circulation ways, utility construction, and dwelling unit siting. This Section provides for a mix of housing types provided that the overall project density does not exceed the density permitted by the underlying zoning district, based on the formula provided by this Section 13.03 B. Further, under certain circumstances and based on a comprehensive plan for the entire development, this Section allows for a mix of residential and compatible non-residential uses oriented toward the planned unit development residents but not exclusively for the residents of the planned unit development.

It also may fit within several required criteria listed in the zoning ordinance that is necessary to be considered for a PUD:

The parcel contains a wetland, floodplain or poor soil conditions which result in a substantial portion of the total area of the parcel being unbuildable. Soil test borings, floodplain maps, wetland maps, or other documented evidence must be submitted to the Planning Commission in order to substantiate the parcel's qualification for the PUD development under this subsection.

The parcel contains substantial natural assets which could be preserved through the use of a PUD/cluster development. Such assets may include natural stands of large trees, land which serves as a natural habitat for wildlife, unusual topographic features, or other natural assets which, in the opinion of the Planning Commission, should be preserved.

The proposed project incorporates sound land use policies and provides several unique design features and amenities such as, but not limited to a) increased open space; b) active-use parks including tot lots; c) community buildings and structures; d) recreational facilities, i.e., swimming pools, tennis courts, ball fields, etc.; e) additional landscaping, signage treatment, etc.

A PUD would allow both the applicant and the township with much more flexibility in site development alternatives, such as clustered development of the residential development. It would also provide for important preservation of natural areas and open space (wetlands, etc. – required 25% common open space) and the protection of critical infrastructure, mainly related to the county drains and associated floodplain areas. All these important and critical concerns could be better managed and incorporated within a planned unit development residential alternative. In addition, if there was any thought of retaining at least some commercial presence within the proposed site, the PUD overlay allows for just such a mixed use development option as well. Lastly, all other associated elements of the development, such as signage, lighting, landscaping, exterior building materials, and other features of the project are also designed and constructed with the objective of creating an integrated and controlled development, consistent with the character of the community, the surrounding developments, and the site's natural features. This option makes for a better, more cohesive neighborhood which can complement the other existing surrounding neighborhoods.

As the Township Board contemplates approving this rezoning, an especially important decision will also need to be made to determine whether to, and how to, compensate the significant loss of both future planned commercial areas as well as solar farm overlay areas that will occur in conjunction with an approval to residential for the subject site.

In addition, should this rezoning be approved by the Township Board, this will definitely necessitate an amendment to be made to the Township Master Plan's Future Land Use chapter, pertaining specifically to the township's Commercial future land use section. The current version of the Plan highlights very specific future planning activities directly related to this subject parcel.

COUNTY PLANNING STAFF RECOMMENDATION:

Approval With Conditions

While the proposed rezoning to Urban Residential is not consistent with the Township Master Plan designation for the subject parcel, it would, however, be generally compatible with the urbanized, residential nature of the immediately surrounding area and would create a more suitable economic and land use solution for this subject site.

Staff would concur with the township Planning Commission recommendation of Approval with Conditions, conditions being those offered by the applicant as provided in Exhibit A of this review.

In addition, staff would highly recommend and encourage the township to consider approving this proposed rezoning with the conditions that it be developed as a Residential Planned Unit Development (PUD) for the reasons stated in the review. A PUD would allow both the applicant and the township with much more flexibility in site development alternatives, given the level of potential undesirable environmental conflicts and concerns also raised in the review.

A very important decision will also need to be made by the Township Board to determine whether to, and how to, compensate the significant loss of both future planned commercial areas as well as solar farm overlay areas that will occur in conjunction with an approval to residential for the subject site.

Conditions of Approval of Proposed Rezoning: Proposed by Applicant**EXHIBIT A – CONDITIONS LETTER**

ACE
CIVIL ENGINEERING, LLC

March 02, 2023

Marion Township Planning Commission
2877 W. Coon Lake Road
Howell, Mi. 48843

Re: Proposed Rezoning Request for the Mitch Harris Building Co.

Dear Planning Commission Members:

Based on public comment received at the public hearing held on Tuesday February 28, 2023 for the proposed re-zoning change for the Mitch Harris property identified as Tax I.D. Parcels 4710-02-400-014,016,017 & 018, The Mitch Harris Building Company would be agreeable to placing a condition on the re-zoning as follows:

#1 The property being re-zoned will not use a general private or public roadway connection through the existing Meadows Condominium project along Spirea Lane.

#2 If a connection through Spirea Lane is required by the governing fire authority, it will be set up with a gate that is controlled by the fire authority and will not be open for the use of the general public.

We believe that the above condition will address a significant number of the comments that were raised at the public hearing and will help in developing the property in a safe manner. We look forward to seeing you at the next planning commission meeting and would ask that you recommend the re-zoning request with the attached condition.

Sincerely,


ACE CIVIL ENGINEERING, LLC

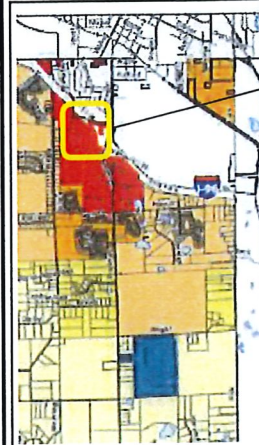
Patrick C. Keough, P.E.
President

5055 Lindemere Drive, Fowlerville, MI. 48836
(517) 545-4141
aceciville@gmail.com

EXISTING LAND USE MAP:



FUTURE LAND USE MAP:



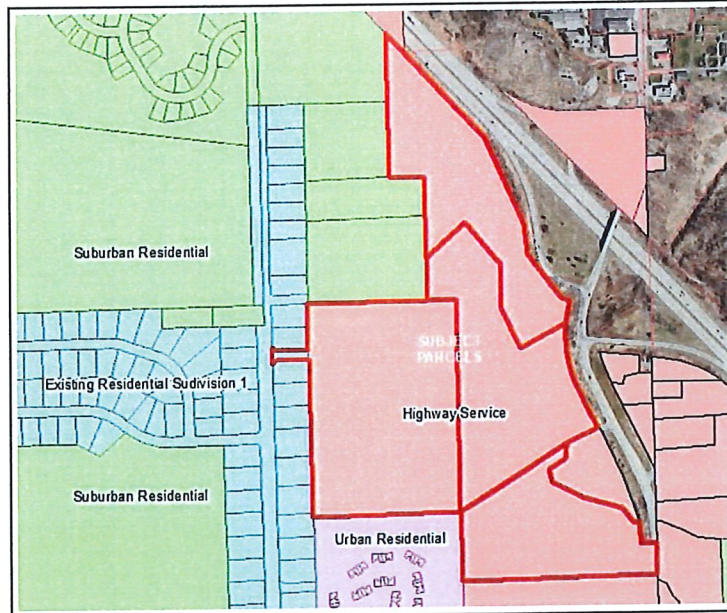
Subject Parcels

Future Land Use

Marion Township, Livingston County

-  Low Density Residential Medium
-  Density Residential Sewered
-  Suburban Residential Sewered
-  High Density Residential Lakes
-  Residential
-  Manufactured Housing
-  Commercial

SURROUNDING ZONING MAP:



SITE PHOTOS: View Looking Northeast from Site along Peavy Road

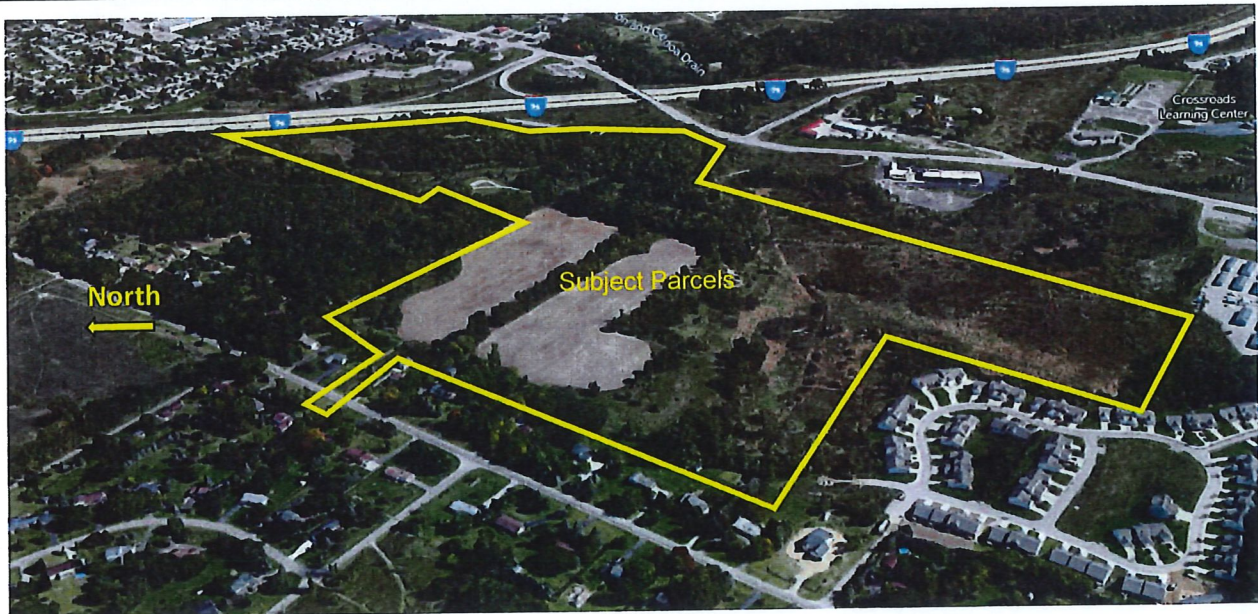


SITE PHOTOS: View Looking Southwest from Site along Peavy Road



View Looking Southwest from Site

AERIAL PHOTO:



level of about 75-90 decibels. Our Solar ordinance allows for 45 decibels during the day and 35 decibels at night. Mike also wanted to say that he thought the Board did a really nice job with the Solar ordinance.

UNFINISHED BUSINESS

1) RZN# 01-23 MITCH HARRIS REZONING PARCELS 4710-02-400-014, 016, 017, 018 MAKE RECOMMENDATION AND FORWARD TO LCPD FOR REVIEW & COMMENT. THEN SEND TO BOT FOR FINAL DECISION

Mitch Harris has returned with changes/provisions to his rezoning application for parcels 4710-02-400-014, 016, 017 and 018. Since the last Planning Commission meeting Mitch Harris has communicated with The Meadows Condominium community President and has their blessing to move forward.

Larry Grunn read a letter from the Meadows president Richard Parker, which states their two conditions for their rezoning request, which resolve the concerns of the Meadows Condominium community.

1. *The property being re-zoned will not use a general private or public roadway connection through the existing Meadows Condominium project along Spirea Lane.*
2. *If connection through Spirea Lane is required by the governing fire authority, it will be set up with a gate that is controlled by the fire authority and will not be open for use of the general public.*

Jim Anderson is still concerned about the increased traffic in this area.

Mark Mynsberge resides at 1019 Spirea and is also concerned about the traffic impact but is more concerned with the possible commercial opportunities that could end up there if the re-zoning is not approved.

Alissa Starling believes that if this property is re-zoned to residential, it will be less of a nuisance to the surrounding community versus the possible commercial development options that could go there.

Rick Thompson resides at 1267 Morning Mist and is concerned about the increased traffic on D19.

Jim Anderson made a motion to recommend approval to the Township Board of Trustees after it is sent to the Livingston County Planning Department for review and comment. Bob Hanvey seconded. Larry Grunn voted NO for this recommendation. 4-1 **MOTION CARRIED**

2) GO #01-23 CONTINUE PDR (PURCHASE DEVELOPMENT RIGHTS) ORDINANCE DISCUSSION

Jim Anderson explained that the land owner has to initiate interest in having a PUD. The Township would then pay the landowner an agreed amount to leave their land the way it is and not develop the property for any other use than what is currently in place. For example, if the land is currently being used for farming, then the land could not be developed for a subdivision or a grocery store. The property would remain as it is and continue being used for farming.

Sally Witkowski resides at 3111 Pinckney Road and inquired about the property being used for solar farms under a PA-116, because the State has now declared Solar Farms to be considered an aggregate use.

Jim Anderson explained that the Township would not be purchasing the property to further any kind of develop on that property. They would simply be paying the landowner so THEY would not be able to change the current use of the property and decide to develop on their property.

Bob Hanvey asked the commissioners if they would be ok with the Township sharing the results from the Land Preservation survey on the website and inform residents where they can view these results.

Jim Anderson made a motion to share the results from the Land Preservation Survey that was taken over the Summer in 2022, on the Township website. Bruce Powelson seconded. 5-0 **MOTION CARRIED**

3) CALL TO THE PUBLIC POLICY – ADD TO BYLAWS?

Larry Grunn suggested changing the time limit for public speakers to three minutes instead of five minutes. Jim Anderson stated that we should add somethings stating that the public is allowed to comment during New and Unfinished Business agenda items. Jessica Timberlake will make these changes to the policy and send it to Jim Anderson for review when finished.

4) REVIEW SPREADSHEET AND DETERMIN WORK PLAN FOR 2023

Dave Hamann stated that we are still waiting for feedback on several items from John Enos and the Attorney. Development Standards, Code Enforcement and Civil Infraction are just a few. Dave will send the outstanding list to Alissa Starling so she can follow up with Planner, John Enos and Attorney, John Gormley.

Bob Hanvey

From: ryan joss <ryanjoss@gmail.com>
Sent: Saturday, April 22, 2023 10:55 AM
To: supervisor@mariontownship.com
Subject: Offer to Purchase 4710-11-200-018

Hello,

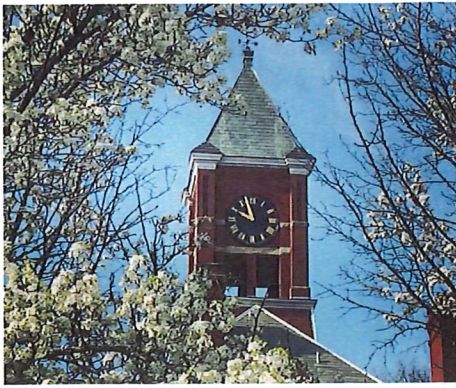
I would like to submit this as an official offer to purchase the vacant land at 4710-11-200-018.

We understand that the water tower does not come with the sale of the land and has its own easement.

Additionally, we understand that the REUs for water and sewer will have to be purchased individually at market rate at the time of each approved land use.

Lastly, our offer is \$550,000.

Thank you,
Ryan=



Liv.Co Update

April 2023

livgov.com



LivCoGov



[Livingston County](#)



[Livingston County Government](#)

Livingston County Board Of Commissioners

District 1: Douglas Helzerman

District 2: Dave Domas (Chairman)

District 3: Frank Sample

District 4: Wes Nakagiri

District 5: Jay Drick (Vice-Chairman)

District 6: Roger Deaton

District 7: Martin Smith

District 8: Nick Fiani

District 9: Jay Gross

Board Meetings

All meetings will be held both online via Zoom and in person in the Board Chambers at the Administration Building at 304 E. Grand River Ave. in Howell.

How To Meet Via Zoom:

- By the direct link: <https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vCHRjWkVIZz09>
- On The Zoom App: Select "Join A Meeting," enter meeting code 399 700 0062, and enter password LCBOC
- By Phone: Call 1-929-205-6099, enter meeting code 399 700 0062, and password 886752

May 1st - General Government & Health & Human Services Meeting at 6:00 P.M. followed by the Personnel Committee

May 8th - Full Board Meeting at 6:00 P.M.

May 15th - Courts, Public Safety, Infrastructure Development Meeting at 6:00 P.M. followed by the Asset Management Committee

May 22nd - Full Board Meeting at 6:00 P.M.



The Fowlerville Fire Station Will Soon Become A New EMS Base

EMS is thrilled with the Board of Commissioner's recent approval to purchase the old Fowlerville Fire Station. This purchase comes as part of a bigger plan to expand EMS services to more of the rural areas of the county. Renovations will be made to the building to make it more conducive to EMS purposes. For example, office space will be converted into sleeping quarters for crews. Once the property is closed on, resources will be positioned at the new base during the day. After renovations are complete, crews will be on scene for overnight services. Due to their forward thinking, the department had already added staff and vehicles to accommodate this expansion, so the acquisition of the property was the final step to expanding their rural presence and reducing response time. EMS continues to explore similar options throughout the county to enhance services for all residents.



Paramedic Of The Year Awards

Two outstanding EMS Paramedics received Paramedic Of The Year awards from local VFW posts. Rick Landis (photo featured on the left) was recognized by the Fowlerville VFW post 6464. He was praised for his outstanding care and dedication throughout his 30+ years of service in EMS. Deputy Director of EMS, Amy Chapman, told us "He is the heart of this organization and is highly respected in this field." Sean Murray was recognized by the Howell FVW post 141. His dedication to his job and our community is what earned him this honor. His certificate says it best, "He always demonstrates a positive attitude, even in difficult and challenging situations, and has shown great compassion and kindness towards patients and their families." Congratulations to both Rick and Sean!

Approved Resolutions

- The Friend of the Court Office will add another **part-time Conciliator** position to assist parents resolve disputes involving their children.
- The Public Defender's Office will apply for and accept **state financial assistance** in the amount of \$2,282,233.33 to assist with the compliance of the Michigan Indigent Defense Act to provide indigent criminal defense services from 10/1/2023 - 9/30/2024.
- The Drain Commissioners' Office was awarded \$82,500 and \$40,000 in ARPA funding for **drain maintenance and improvements** to be made on the Handy No. 7 & 13 Drainage District and the Ocoala No. 1 Branch 2 County Drain.
- 911 Central Dispatch was recognized for their lifesaving services during **National Telecommunicators Week** from April 9th - 15th.
- Central Dispatch has contracted Motorola to repair the **VHF paging system** at the Brighton Township, Hamburg, Hillcrest, and Osceola Township tower sites at a cost not to exceed \$52,542.
- Central Dispatch will purchase a **911 telephone system** from INdigital at a cost of \$568,193 that will be paid using ARPA funds, if eligible.
- EMS will have Amerivet Services replace **two overhead doors** at their main station at a cost of \$149,660.
- The Sheriff's Office will apply for the **2024 State Traffic Enforcement Grant** to receive up to \$34,490 in reimbursement funds.
- The Sheriff's Office will use \$46,451 of ARPA funding to purchase a **Trimble X7 3D scanner** for the purpose of more efficiently capturing, measuring, and reproducing models of crime and crash scenes. \$6,484 of ARPA funding will also be used to purchase new **mobile fingerprint readers** to help identify those involved with the Sheriff's Office and to remain compliant with law enforcement standards.

Continued On Page 3

Upcoming Events

9/11 Never Forget 5K Trail Run/Walk

Veteran Services, Howell Recreation, and local first responders are excited to present the first annual 9/11 remembrance 5K run/walk. The race will be held at Fillmore County Park on September 16, 2023 and will begin at 8 a.m. Join us as we remember those who lost their lives that



day and honor the veterans and first responders who so bravely responded to the danger as a result of the attack. All registered participants will receive a t-shirt and a finisher medal. Proceeds will benefit Livingston County's parks for improvements. If you are interested in providing sponsorship or volunteering for the race, please email Veteran Services at veterans@livgov.com.

Registration will open on May 1st at <https://runsignup.com/Race/MI/Brighton/911NeverForgetTrailRunWalk5k>.

Pensions & Estate Planning Seminar



A will or trust should be one of the main components of every estate plan. Veteran Services will be holding their popular Pensions & Estate Planning seminar on **Thursday, April 27th at 3 p.m.** at their Office at 1420 Lawson Dr. in Howell. **Please RSVP to reserve your seat at (517) 295-0705.** Veterans and their spouses or family members are welcome to attend.

Many veterans have commented that the information provided in this seminar has helped them and their family tremendously. Now they feel confident that they can get their affairs in order for better peace of mind.



Join EMS As A Full-Time EMT Or Paramedic

EMT: \$17.59-24.77/Hr Paramedic: \$21.32-34.20/Hr | Comprehensive Benefit Package

Our team responds to requests for emergency medical services as part of an ambulance crew. Uses IV and drug therapy and operates emergency medical equipment, providing immediate treatment to victims to alleviate symptoms or suffering. Monitors vital signs and stabilizes emergency patients prior to reaching a medical care facility. Follows written protocol, standing orders or maintains radio contact with medical facility to receive guidance and direction per the Medical Control Authority and it's Director. Performs all functions as required by the Medical Control Authority or it's Director under the EMT/Paramedic license.

Learn More & Apply At: <https://livingston.applicantpool.com/jobs/>

Approved Resolutions

- Livingston County will participate in agreements in the partial settlement of the **National Prescription Opiate Legislation** and State/Local Government Intrastate agreement.
- The following individuals have been appointed to the **Livingston County Community Correction Advisory Board** for four year terms expiring on April 11, 2027:
 - County Commissioner - Roger Deaton
 - Community Member - Carol Sue Reader
 - Community Member - Jennifer Bigelow
 - Communications - Ken Rogulski
 - Probation Supervisor - Michael Boyden
- Chuck Wright has been appointed to the **Livingston County Tax Allocation Board** for the 2023 term.
- Therese Cremonte has been appointed to the **Livingston County 911 Advocacy Oversight Board** for a term expiring on December 31, 2025.
- Veteran Services will apply for the 2024 Grant with the **Michigan Veteran Affairs Agency** for a total of \$144,570.
- The **2023 County Equalization Report** has been adopted. The total value for all real property was equalized at \$14,829,145,218 and personal property equalized at \$607,388,932 for a total County Equalized Value of \$15,436,534,150.
- LETS will apply for capital funding under the **Fiscal Year Bus and Bus Facilities Discretionary Grant Program** in the amount of \$10 million.
- LETS will add **eight irregular part-time driver positions** to accommodate drivers who work limited or inconsistent schedules.
- Margaret Burkholder has been appointed to the **Livingston County Airport Zoning Board of Appeals** for a term expiring December 31, 2025.
- Andrew Hick has been appointed to the **Livingston County Airport Zoning Board of Appeals** for a term expiring December 31, 2025.

More Upcoming Events

Solid Waste / DPW Recycling Collections

- Household Hazardous Waste** - May 6th, August 12th, September 30th
Appointments are required and sign-ups open six weeks before event. Schedule an appointment at <https://www.livgov.com/dpw/>.
- Latex Paint Recycling** - June 15th from 4 - 8 p.m. at 3535 Grand Oaks Dr. in Howell. No appointment is needed. 1 quart can is free, 1 gallon can is \$1, 5 gallon can is \$4. Cash or check only.
- Electronic Waste Collection** - July 15th from 9 a.m. - 1 p.m. at 3535 Grand Oaks Dr. in Howell. No appointment needed
- Scrap Tire Collection** - October 7th. Limit 10 car/light-truck tires per address. Registration required and will open late summer.

Animal Shelter Events



- Empty The Shelter** - May 1st - 13th.
Come adopt a pet at a reduced fee courtesy of the Bissell Pet Foundation.
- Kitten Shower** - May 13 - 20th. Help us prepare for kitten season by dropping of donations and signing up to be a pet foster.
- Kitty Yoga At Howell MI Fitness Community** - May 21st.
Book at <https://www.mifitnesscommunity.com/>.
- Howell High School Puppy Power** - Our Shelter puppies will be visiting the high school to help students relax during their exams.
- Hot Dogs & Cool Cats Golf Outing** - August 12th. Save the date for a fun day! More details coming soon.



2023 Top-Dog Fergus Reminds You To Get Your Dog License He's Even Got His Puppy Eyes Activated To Be More Convincing

We know how much you care about your pup, so that's why our Treasurer's Office & Animal Shelter wants to remind you to get them something they may be missing... a dog license. A license helps them get back to you quicker if they ever get lost, keeps our community safe by helping control rabies, and helps you avoid fines. Apply for a license online today with your proof of a current rabies vaccine and spay/neuter (if applicable.)

Apply At: <https://livingstonlive.livgov.com/miDogLicense/NavMuniSelect.action>