

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
Thursday, May 9 2024
7:30 pm

THIS MEETING WILL BE HELD IN PERSON WITH ONLINE PARTICIPATION OPTIONS

Call to Order

Pledge of Allegiance

Members Present/Members Absent

Call to the Public

- 1) Approval of the Agenda
- 2) Consent Agenda
 - a. April 18, 2024 Regular Meeting Minutes
 - b. April 16, 2024 HAPRA Agenda/Minutes
 - c. April 17, 2024 MHOG Agenda/Minutes
 - d. April 17, 2024 HAFDA Agenda/Minutes
 - e. Complaint Report
 - f. DPW Report
 - g. April Financial Report
 - h. Zoning Report
- 3) Gale Show Cause Hearing
- 4) Miller Show Cause Hearing
- 5) Smith Special Use Permit
- 6) 2024 Marion Township Road Updates
- 7) Howell Parks and Recreation Maintenance
- 8) ARPA SLFRF Report
- 9) PDR Millage (bring back)
- 10) Hometown Phase III Lease

Correspondence and Updates

Call to the Public

Adjournment

Next Board Packet will be ready after 3 pm on Thursday, May 16, 2024.

DRAFT

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
APRIL 18, 2024**

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

MEMBERS ABSENT: Phil Westmoreland – Spicer Group

OTHERS PRESENT: John Gormley – Township Attorney

CALL TO ORDER

Bob Hanvey 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.

CALL TO THE PUBLIC

Nancy Manson resides at 3346 W. Coon Lake Road. Nancy Manson expressed her concern about the lack of playground equipment within Marion Township. She attended a Board Meeting two months ago and expressed the same concerns.

Jason Woolford is running for State Representative and introduced himself.

Anthony Longoria resides at 3724 Pinckney Road. Anthony explained that he would like the Livingston County Road Commission to stop using brine when treating the roads for dust control. He is concerned about contamination to our water source. Anthony Longoria mentioned the increased budget amounts on page 44 under *Unallocated expenditures*. He explained that in 2022-2023 fiscal year the Township spent \$106,484 and for the current 2023-2024 fiscal year the Township has spent \$937,999. Anthony would like to know the reason for this increase. (Bob Hanvey addresses this concern under “Allocation Budget” on page 2.) Anthony also wanted to discuss the school bus stops along D19.

Kelly Waite resides at 1282 Morning Mist Drive. Kelly would like to receive an update on the paving of Francis Road.

Steve Phillips resides at 1851 Fox Ridge Drive. Steve would like to receive an update on the paving of Francis Road.

APPROVAL OF AGENDA

Tammy Beal added item #12 *High Meadows Complaint* to the agenda. Les Andersen added item #13 *Non-Conforming Lots* to the agenda. Les Andersen made a motion to approve the agenda as amended. Tammy Beal seconded. **Motion carried 7-0.**

DRAFT

CONSENT AGENDA

Les Andersen motioned to approve the consent agenda as presented. Scott Lloyd seconded. **Motion carried 7-0.**

FINAL REVIEW TXT #02-23 WELLHEAD PROTECTION OVERLAY

Les Andersen motioned to adopt a resolution to approve the proposed Wellhead Protection Zoning Ordinance (TXT #02-23) and Overlay map, as presented. Scott Lloyd seconded. Roll call vote: Andersen, Donovan, Beal, Durbin, Lloyd, Hanvey – YES, Lowe - NO. **Resolution passed 6-1.**

2024 MARION TOWNSHIP ROAD PROJECTS

DAVIS ROAD

Dan Lowe stated that Davis Road needs some repairs.

Dan Lowe motioned to accept the estimate from the Livingston County Road Commission for “*ditching and tree removal*” on Davis Road, from D19 to Fisk Road for \$61,000. Les Andersen seconded. Roll call vote: Durbin, Donovan, Hanvey, Lloyd, Beal, Andersen, Lowe - YES. **Motion carried 7-0.**

FRANCIS ROAD

John Gormley is concerned about the residents that potentially vote against having a Special Assessment for paving Francis Road. Gormley’s two main concerns are the proportionality for each resident and the increased assessment not matching the increased value.

Steve Phillips resides at 1851 Fox Ridge Drive. Steve explained that the Township should pay to have Francis Road paved, instead of paying for the new Marion Township Walking Path.

Les Andersen motioned to accept the estimate from the Livingston County Road Commission for “*surface gravel, limited drainage and tree work*” on Francis Road, from D19 to Fisk Road for \$127,000. Scott Lloyd seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Hanvey, Lloyd - YES. **Motion carried 7-0.**

FRANCIS ROAD PAVING

Les Andersen motioned to remove “Francis Road” from the agenda and take no further action. Scott Lloyd seconded. **Motion carried 7-0.**

ALLOCATION BUDGET

Bob Hanvey explained that the increased budget amount on page 44 under “*Unallocated expenditures*”, is due to the recent building renovations for the Township office and Assembly Hall.

BUDGET TO ACTUAL

Bob Hanvey said the documents in the packet are for informational purposes.

PDR MILLAGE

Tammy Beal explained that she thought we were going to go for a ½ a mil. Bob said that these numbers can be changed.

Anthony Longoria resides at 3724 Pinckney Road. Anthony explained that housing developers are destroying the township and he would like to encourage the Board to purchase development rights in order to preserve land.

DRAFT

John Gormley encouraged the Board to look at his review on PDR millages in a closed session meeting before making a decision on a millage.

Les Andersen motioned to postpone action on this item until after the Trustees review and discuss John Gormley's PDR Millage review letter, during a closed session meeting scheduled for Thursday, May 9, 2024 at 6:30pm. Tammy Beal seconded. **Motion carried 7-0.**

ZBA APPOINTMENTS

Les Andersen motioned to reappoint Larry Fillingner to the Zoning Board of Appeals for another term, ending 12/2026. Sandy Donovan seconded. **Motion carried 7-0.**

Greg Durbin motioned to reappoint Diane Bockhausen to the Zoning Board of Appeals for another term, ending 12/2026. Sandy Donovan seconded. **Motion carried 7-0.**

Les Andersen motioned to reappoint Linda Manson to the Zoning Board of Appeals for another term, ending 12/2026. Scott Lloyd seconded. **Motion carried 7-0.**

GIS ORTHO PHOTOS

Tammy Beal motioned to participate with the County GIS Ortho project and not to exceed \$2,000. Les Andersen seconded. Roll call vote: Donovan, Beal, Andersen, Lowe, Harvey, Lloyd, Durbin - YES. **Motion carried 7-0.**

MARION TOWNSHIP WALKING PATH

Dan Lowe motioned to go with the shorter and straighter walking path proposed by Joe Raica Excavating for \$467,902 (\$394,076 for path / \$73,826 to pave gravel driveway), and the extra money should go towards new playground equipment for our Township Park. Scott Lloyd seconded. Roll call vote: Lowe, Durbin, Lloyd, Donovan, Andersen, Beal, Harvey - YES. **Motion carried 7-0.**

HIGH MEADOWS COMPLAINT

Tammy Beal stated that a resident called the office today to file a complaint about the condition of her neighbor's property. This same lady called a year ago and the issue is still not resolved. Tammy said there are nine cars, a storage container and bus in the yard of this property.

John Gormley stated that according to our ordinance, the only thing we can do right now is bring them in for a show cause hearing or ask them to clean up their property.

Tammy Beal explained that there are two other properties within the township that are in a similar condition. One property is on D-19 across from the Harger Cemetery and the other property is on D-19 in front of Parker School.

Tammy Beal stated that Dave Hamann recently sent out letters to these residents and we will continue waiting for their response.

NON-CONFORMING LOTS

Les Andersen stated that Dave Hamann was working with someone to create language that prevents non-conforming lots.

John Gormley said that we should create a Lot-Split Ordinance.

Bob Harvey said that he will work on this with Dave Hamann, Zach Michels and John Gormley.

DRAFT

CORRESPONDENCE & UPDATES

Bob Hanvey met with the City of Howell Board of Review and we will be going to the Michigan Tax Tribunal.

Tammy Beal said the Township Shred Event is next Saturday, April 27th 10am-1pm.

CALL TO THE PUBLIC

Anthony Longoria resides at 3724 Pinckney Road. Anthony inquired about which property is being discussed with City of Howell.

Kristina Lyke is running for State Representative and introduced herself.

ADJOURNMENT

Les Andersen motioned to adjourn at 9:24pm. Tammy Beal seconded. **Motion carried.**

Submitted by: J. Timberlake

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date

HOWELL recreation

Howell Area Parks & Recreation Authority
Regular Meeting
Oceola Community Center
Tuesday, April 16, 2024, 6:30 p.m.

Call to order

Pledge of Allegiance (all stand)

Call to the Public (for any items not on the agenda)

Approval- Consent Agenda

1. Regular Board Meeting Minutes dated Tuesday, March 19, 2024
2. Check Register Report Ending March 31, 2024
3. Bank Statements Ending March 31, 2024
4. Financial Reports Ending March 31, 2024

Approval- Regular Agenda

5. Discussion/Approval item- HAPRA 2023 Draft Audit
6. Events and Programs Report
 - a. Upcoming events & programs
 - i. Senior Travel Program
 - ii. Michigan Mobile SOS
 - iii. Pickles & Pint
 - b. Sponsorship & marketing updates
 - i. Play.Grow.Belong
 - ii. New Program Guide
7. Maintenance/Project Report
8. Directors Report
 - a. Millage Update
 - b. "Townhall" Meetings

9. Board Member Reports

- i. City of Howell Board Rep:
- ii. Oceola Township Board Rep:
- iii. Marion Township Board Rep:
- iv. Genoa Township Board Rep:
- v. Howell Township Board Rep:

10. Old Business

11. New Business

12. Next Meeting: May 21, 2024 @ 6:30pm Oceola Community Center

13. Adjournment

HOWELL recreation

Howell Area Parks & Recreation Authority

Oceola Community Center

Regular Board Meeting Minutes

March 19, 2024

Call to Order

Chair Diana Lowe called the meeting to order at 6:30 pm.

Attendance

Board Members: Chair Diana Lowe, Vice Chair Terry Philibeck, Secretary Nikolas Hertrich, Treasurer Tammy Beal, Trustee Sue Daus

HAPRA Staff: Director Tim Church, Jen Savage, Nikki Wattles, Andrew Wittbrodt, Kevin Troshak, and Kyle Tokan

Public: Non Present

Call to the Public

None Present

Approval of Consent Agenda

Vice Chair Terry Philibeck made a motion to approve the consent agenda, supported by Treasurer Tammy Beal. **Motion carried 5 – 0.**

Approval of Regular Agenda

Treasurer Tammy Beal made a motion to approve the consent agenda, supported by Vice Chair Terry Philibeck. **Motion carried 5 – 0.**

Discussion/Approval item- Resolution 24-2 Ballot Language for the HAPRA Millage

Director Church introduced the proposed Ballot Language for the HAPRA Millage. Although the proposal is standard or boiler plate, Chair Diana Lowe and Trustee Tammy Beal questioned the need to include language related to a pool. Director Church agreed with concerns shared by the Board and will follow up with John

Gormley of Gormley Law Offices, PLC to remove. A motion to approve Resolution 24-2 Ballot Language for the HAPRA Millage following the removal of “public swimming pool” was made by Vice Chair Terry Philibeck and supported by Treasurer Tammy Beal. **Roll Call Vote: Vice Chair: Terry Philibeck – Yes, Chair: Diana Lowe – Yes, Treasurer: Tammy Beal – Yes, Trustee: Sue Daus, Secretary: Nikolas Hertrich – Yes. Motion carried 5 – 0.**

Discussion/Approval – Discussion/Approval item – Recreation Master Plan

Director Church recently met with Marion and Oceola Township Board of Trustees to discuss partnering with HAPRA in the drafting of a Recreation Master Plan. Both townships agreed to the partnership and the associated cost share with only one Marion Township Trustee voting no. For the Recreation Master Plan, local units of government with master plans in place already will have their plans incorporated into the HAPRA Recreation Master Plan. In the future this Recreation Master Plan will help with funding opportunities and provide support for approving the upcoming ballot initiative. A motion to approve the HAPRA Recreation Master Plan was made by Vice Chair Terry Philibeck and supported by Treasurer Tammy Beal. **Motion carried 5 – 0.**

Events and Programs Report

A. Upcoming Event & Programs:

- i. **Dragon Quest:** The Dragon Quest Egg Hunt is scheduled for Sunday, April 7, 2024, from 11:00 am to 2:00 pm. Event will occur at the Oceola soccer complex and is a different approach to the traditional Easter Egg Hunt. Participants will be collecting dragon eggs and trading in for prizes. For this event staff is working with Oxford Treatment Center to coordinate a sensory friendly event for the first time slot. Sessions are half full but typically participation increases based on the weather forecast.
- ii. **Volleyball:** The coed volleyball program currently has 90 people participating with teams from Howell, Hartland, Brighton, and Huron Valley. Eight teams are currently registered for the women’s volleyball league. Additionally, 700 athletes are registered for soccer and the 25 and up basketball league recently went from three teams to eight.
- iii. **Other:** Kevin Troshak informed the Board that the Hive Youth & Teen Center’s Teen Advisory Board were given a volunteer of the year award from Livingston County United Way and that the Teen Flashlight Egg Hunt will be at the Geno Township Hall which will now accommodate 50+ participants. Kevin also shared that he is working on the Summer Program which will include cooking classes with Chef Chad from Chemung Hills. Menu will contain a wide selection of options including Mexican and Chinese. The Teen Center currently has 20 participants regularly and was awarded a grant from Citizens Insurance which will reduce monthly registration from \$30.00 to \$20.00. It is expected that an uptick in registration will occur in the fall. An open house is scheduled for 5th graders and all elementary aged students in May.

It expected that the Audit will be provided for review and approval for the April Board Meeting. An open interview was held last Wednesday to fill summer positions. 11 interviews were conducted and all vacancies should be filled. The Employee Appreciation Program was restarted in March, Board Members will be included on future e-mails and will have the opportunity to provide nominations.

B. Sponsorship & Marketing Updates:

- i. The Rec on the Go van has been wrapped and materials for the van have been ordered. Jordan Hilbrecht was award a \$2,500 grant from MParks to purchase equipment for the van.

Preventative Maintenance Report:

No updates. Meetings will be scheduled for the near future to discuss property maintenance.

Directors Report

- a. Proclamation for July is Parks and Rec Month: July is Parks and Rec month and looking to emphasize the importance of recreation. Director Church is hoping to have all municipalities make a proclamation during their July meetings. Will be reaching out to the Townships and City to gauge support.
- b. Meeting with Commissioners: Director Church is looking to coordinate meetings with County Commissioners to discuss and answer questions related to the upcoming millage request. Commissioner Drick provided questions and an email response has been drafted.
- c. Update to Community Captains: Director Church has been contacted by a few individuals who are looking to support the millage effort.
- d. Budget: Director Church and Jen Savage are working on a proposed budget for if the millage is successful. The Director would like to meet with Board members individually to discuss.

Board Member Reports

Secretary Nikolas Hertrich shared with the Board agenda items from the March 11, 2024, Howell City Council Meetings which included approval of various civic events and board appointments, discussions related to Freedom of Information requests, and purchase of various equipment needs. Additionally, information associated with Scofield Park Improvements and Bennett Center upgrades related to Congressional Discretionary Spending requests from Senators Peters office were shared. Secretary Hertrich met with a representative of the Senator's office to discussion both projects.

Vice Chair Terry Philibeck informed the Board about the recent purchase of pre-constructed restrooms for the soccer fields, the installation of a traffic circle at Eager and Golf Club, and that there will be a dedication of the Reading Trail on April 30th.

Treasurer Chair Tammy Beal shared with the Board bid requests for the walking path will be going out soon and on April 18th a meeting will be held with the selected contractor.

Chair Diana Lowe shared that Genoa Township will be working with Livingston County to pave the remaining portion of Beck to Grand River.

Howell Township Trustee Sue Daus did not have an update to provide.

Old Business

None

New Business

The MTA meeting will not affect the April HAPRA meeting. Kevin Troshak has been selected as the MParks Conference Chair to be held in Traverse City.

Next Meeting

Regularly Scheduled HAPRA Meeting - Tuesday, April 16th, 2024, at 6:30 pm at Oceola Community Center.

Adjournment:

A motion to adjourn the meeting was made by Vice Chair Terry Philibeck and supported by Treasurer Tammy Beal at 7:16 pm. **Motion carried 5-0**

Approved

Date

Respectfully Submitted by: Nikolas Hertrich, Secretary



AGENDA

MHOG Sewer and Water Authority Regular Meeting April 17th, 2024 5:00 PM

1. Call to Order*
2. Approval of Agenda
3. Approval of Minutes of March 20, 2024 Meeting
4. Call to the Public*
5. System Improvement, Operation, and Maintenance Report
 - a. Capital Improvement
 - Attachment 5a – E-mail correspondence to Ann Arbor SPARK regarding status of grant and grant requirements
 - Attachment 5b – Plan Sheet for 24-inch WM from MHOG Plant to Sanitorium Tanks and Booster Station
 - Attachment 5c - E-mail and Invoice from Michigan DNR Regarding Easement to Install 24-inch main to Sanitorium Tanks and Booster Station
 - Attachment 5d – E-mail Correspondence with Michigan DNR Regarding Supplemental Questions and Additional Information
 - Attachment 5e- Draft Example DNR Easement
 - b. New Development
 - Attachment 5f - New Development Summary for April 2024
 - c. Water Affordability Legislative Communication
 - Tour of Water Treatment Plant Scheduled with Senator Chang and Representative Conlin on May 13
 - d. Water Towers
 - Attachment 5g – Consent with T-mobile to swap radio and ancillary equipment
 - e. Water Utility Consent and Franchise Agreement
 - Attachment 5h – Agreement for MHOG Approval Between Howell Township, Oceola Township, and MHOG to extend water to Operating Engineer's Pavilion from Howell Township Into Oceola Township
Request Approval of Water Utility Consent and Franchise Agreement
 - f. EPA PFAS Drinking Regulation
 - Attachment 5i – EPA notice of finalized Drinking Water Regulations for PFAS
 - g. Lime Calciner Letter of Support
 - Attachment 5j – E-mail announcing award of grant



AGENDA

MHOAG Sewer and Water Authority Regular Meeting April 17th, 2024 5:00 PM

6. Deputy Director Report

- a. Attachment 6a - MHOAG Water Treatment Plant Monthly Production
- b. Attachment 6b – MHOAG Winter / Spring Daily Production
- c. Attachment 6c – MHOAG Monthly Production by Pressure District
- d. Attachment 6d – Pictures of Roof Replacement Project
- e. Attachment 6e - MISS DIG Monthly Utility Locating Report
- f. Attachment 6f– Non-Metered Water Loss Report for March 2024

7. CPA Report *

8. Treasurer's Report (*Distributed at Meeting*) *

- a. Checks for Disbursement

9. Correspondence *

10. New Business

11. Board Member Updates*

12. Adjournment

*= Noting Included in Board Packet



Minutes of the Regular Meeting March 20, 2024

The M.H.O.G. Sewer and Water Authority met at 5 pm in the Board Meeting Room of the Oceola Township Hall. Members present were Harvey, Lowe, Coddington, Counts, Dunleavy, Henshaw, Rogers and Hunt. Also present were Greg Tatara, and Tyler Baker representing Maner Costerisan.

Rogers moved to approve the agenda as presented. Second by Counts, motion passes.

Hunt moved to approve the minutes of the February 21, 2024 meeting as presented. Second by Counts, motion passes.

A call to the public was held, no response.

Tyler Baker of Maner Costerisan presented the MHOG audit report for the fiscal year ending September 30, 2023. Henshaw moved to accept the audit report and have it submitted to the proper units of the State Government. Second by Rogers, motion passes.

Dunleavy moved to approve the repair quotation for the West Wellhead transformer (\$6,344) from UIS. Second by Coddington, motion passes.

Counts moved to approve MHOG Operating checks PR 914 through 9883 totaling \$208,626.49. Second by Coddington, motion passes.

Dunleavy moved to approve MHOG Bond payment Fund check 138 to PFM Financial Advisors LLC for \$1,000. Second by Henshaw, motion passes.

Henshaw moved to adjourn. Second by Counts, motion passes.

Robert J. Henshaw
Secretary

HOWELL AREA FIRE AUTHORITY

AGENDA

APRIL 17, 2024 –6PM

BOARD MEMBERS

Mike Coddington, Howell Twp., Chairman
Sean Dunleavy, Oceola Twp., Vice Chairman
Mark Fosdick, Cohoctah Twp., Secretary
Robert Hanvey, Marion Twp., Treasurer

Bob Ellis, City of Howell, Member
Ron Hicks, Fire Chief
Barbara Souchick, Admin Asst
Kevin Gentry, Attorney

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.

Meeting called to order at 6:00 pm

Pledge of Allegiance

Approve the minutes of the regular meeting of March 20, 2024.

Call to the public (items not on agenda)

Discussion/Approval : Purchase encryption modules and update the department's 31 Kenwood Portable Radios in the amount of \$22,229.30.

Discussion/Approval: 2024/2025 Budget

Chief Comments

Update on Engine 22 – October 2025

Approve the payment of bills and payroll: Approve the payment of bills and payroll in the amount of \$300,152.52 for period ending April 11, 2024.

New Business

Old Business

Adjourn

HOWELL AREA FIRE AUTHORITY

March 20, 2024 – 6:00 pm

Oceola Township Hall – 1577 N. Latson Rd, Howell, MI 48843

Board Members Present: Chairman Mike Coddington, Vice Chairman Sean Dunleavy, Treasurer Bob Harvey, Secretary Mark Fosdick, Member Bob Ellis, Fire Chief Ron Hicks, Attorney Kevin Gentry, Admin. Asst Barbara Souchick

Chairman Coddington called the meeting to order at 6:00 pm.

Approve the minutes of the regular meeting of February 21, 2024: MOTION by Mr. Ellis, SUPPORT by Mr. Dunleavy to approve the minutes of the regular meeting of February 21, 2024. MOTION CARRIED UNANIMOUSLY.

Call to Public: No Response

Discussion/Approval Hafa Resolution #03-24: MOTION by Mr. Dunleavy, SUPPORT by Mr. Ellis to approve Hafa Resolution #03-24 that increases the credit card limit from \$3,000 to \$20,000 to facilitate bill payments. MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE. Coddington – yes, Dunleavy – yes, Ellis – yes, Fosdick – yes, Harvey – yes.

Discussion/Approval Payment of Bills and Payroll: MOTION by Mr. Fosdick, SUPPORT by Mr. Dunleavy to approve the payment of bills and payroll in the amount of \$230,781.71 for period ending 3/14/2024. MOTION CARRIED UNANIMOUSLY

Adjourn: MOTION by Mr. Ellis, SUPPORT by Mr. Dunleavy to adjourn the meeting at 6:09 PM.

Respectfully Submitted: _____

Barbara Souchick, Admin. Assistant

Approved By: _____

Mark Fosdick, Secretary



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 9, 2024
TO: Chief Ron Hicks
Fire Authority Board
FROM: Jamil Czubenko, Deputy Chief/Fire Marshal
REF: 1st Quarter 2024

The months of January, February and March 2024 were busy in the Fire Marshal Division (FMD).

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

Planning meetings for the 2024 Michigan Challenge Balloonfest, scheduled for June 28-30 and the 64th Annual Howell Melon Festival, scheduled for August 15-18, have started.

The FD continues to share our safety messages and keeping our customers informed. Our Facebook page has 5,597 current followers. Our Instagram currently has 961 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. More specifically, we have been spending some time on the new Motor Sports Gateway project in the City of Howell, between Lucy and Pinckney Roads. It will be a 2.5 mile racetrack surface with garage condos along the track side. They are in Phase 1 of the project at the moment. In addition, many of the residential developments require our attention to the site plan and final locations of many safety features.

2024 brings several new Food Truck/Trailer events that continue to be planned for throughout our jurisdiction, where the FMD will be performing fire safety inspections. Mobile Food Vendors (MFV) apply to the HAFD and then get inspected for compliance. The DDA's Food Truck Rally is kicking this season off first with their May 18 event.

2nd Quarter 2024 brings us more planning for future projects and various fire prevention events.

MONTHLY UPDATE TO THE BOARD

TO: HOWELL AREA FIRE AUTHORITY BOARD OF DIRECTORS
FROM: RON HICKS, FIRE CHIEF
SUBJECT: MONTHLY HAFD REPORT FOR MARCH 2024
DATE: APRIL 17, 2024

During the month of March, the HAFD responded to a total of 135 calls for service. There were 153 calls in March of 2023. The total year-to-date runs for 2024 are 441. Last year's total at the end of March was 438.

Some of the more significant events for the month included:

On March 7th, Howell Firefighters were dispatched for a reported machine entrapment in the 1400 block of McPherson Park Dr. in the City of Howell. Upon arrival crews reported a male subject with his hand crushed in a press, crews assisted LCA with stabilizing the patient before releasing the press. The patient stopped by the main fire hall a week later to thank the firefighters and let them know he lost 3 fingers.

On March 11th, Howell Firefighters were dispatched for a reported vehicle crash in the 1800 block of Latson Rd. in Ocoola Township. Upon arrival crews reported a two car T-bone accident with (1) subject requiring extrication and a dash lift. The patient was transported by LCA to Ann Arbor in critical condition.

On March 16th, Howell Firefighters were dispatched for a reported vehicle crash in the 7000 block of Highland Rd. in Ocoola Township. Upon arrival crews reported a vehicle had been rear ended and pushed into oncoming traffic and was struck by a second vehicle, (1) patient required extrication.

On March 23rd, Howell Firefighters were dispatched AMA to Fowlerville Fire for a reported structure fire in the 8000 block of Killinger Rd. in Conway township. Upon arrival crews reported a working fire in a 2-story residential home. Crews assisted with fire ground operations and water supply.

On March 26th, Howell Firefighters were dispatched to a reported person run over by a forklift in the 1400 block of McPherson Park Dr. in the City of Howell. Upon arrival crews reported a male subject had a upper leg injury with obvious deformities and assisted LCA with patient care.

Training for the month of March consisted of ice water rescue classroom, ice water rescue practical skills at H.H.S. pool and water rescue skills at H.H.S. pool.

Next meeting of the Howell Area Fire Authority Board is scheduled for Wednesday April 17th, 2024, at 6:00 pm.

Incidents by Response Zone-copy

Howell Area Fire Department
Address: 1211 W Grand River Rd, Howell, MI, 48843

RESPONSE ZONE	PSAP CALL DATETIME	INCIDENT NUMBER	ADDRESS	ACTUAL INCIDENT TYPE FOUND	DISPATCHED INCIDENT TYPE
HOWELL TWP.	2024-03-29 14:13:30	HAFD-24-0428	2525 OAK GROVE RD	551 - Assist police or other governmental agency	AAMB-F-ASSIST AMBULANCE FIRE
HOWELL TWP.	2024-03-29 16:17:25	HAFD-24-0429	2525 OAK GROVE RD	551 - Assist police or other governmental agency	AAMB-F-ASSIST AMBULANCE FIRE
HOWELL TWP.	2024-03-30 12:12:00	HAFD-24-0436	2525 OAK GROVE RD	551 - Assist police or other governmental agency	AAMB-F-ASSIST AMBULANCE FIRE
COHOCTAH TWP.	2024-03-14 19:28:02	HAFD-24-0367	4510 BROPHY RD	551 - Assist police or other governmental agency	DIFBRE-BREATHING PROBLEM
COHOCTAH TWP.	2024-03-17 16:13:43	HAFD-24-0380	5760 MAXWELL RD	551 - Assist police or other governmental agency	UNCON-UNCONSCIOUS/FAINTING
COHOCTAH TWP.	2024-03-30 18:26:47	HAFD-24-0438	2121 GANNON RD	324 - Motor vehicle accident with no injuries.	PIA-PERSONAL INJURY ACCIDENT
MARION TWP.	2024-03-01 10:48:39	HAFD-24-0307	5480 STONE GARDEN DR	600 - Good intent call, other	CO-CD ALARM/ OR INVESTIGATION
MARION TWP.	2024-03-01 17:12:12	HAFD-24-0310	470 HOSTA	551 - Assist police or other governmental agency	DIFBRE-BREATHING PROBLEM
MARION TWP.	2024-03-03 10:47:12	HAFD-24-0316	MASON	324 - Motor vehicle accident with no injuries.	PIA-PERSONAL INJURY ACCIDENT
MARION TWP.	2024-03-04 16:04:22	HAFD-24-0325	319 BRIGHTON RD	444 - Power line down	ELHAZ-ELECTRICAL HAZARD
MARION TWP.	2024-03-05 10:33:16	HAFD-24-0330	510 BRIGHTON RD	311 - Medical assist, assist EMS crew	FULARR-CARDIAC/RESPIRATORY ARREST
MARION TWP.	2024-03-06 16:33:09	HAFD-24-0333	3705 JEWELL RD	611 - Dispatched & canceled en route	FULARR-CARDIAC/RESPIRATORY ARREST
MARION TWP.	2024-03-07 07:56:31	HAFD-24-0337	4846 W SCHAFER RD	622 - No incident found on arrival at dispatch address	ALARMM-MEDICAL ALARM

Incidents by Response Zone-copy

Howell Area Fire Department
 Address: 1211 W Grand River Rd, Howell, MI, 48843

RESPONSE ZONE	PSAP CALL DATETIME	INCIDENT NUMBER	ADDRESS	ACTUAL INCIDENT TYPE FOUND	DISPATCHED INCIDENT TYPE
MARION TWP.	2024-03-07 10:07:26	HAFD-24-0338	5210 PINCKNEY RD	311 - Medical assist, assist EMS crew	DIFBRE-BREATHING PROBLEM
MARION TWP.	2024-03-09 18:06:27	HAFD-24-0347	211 BARNSLEY DR	622 - No incident found on arrival at dispatch address	ALARM-F-ALARM CALLS
MARION TWP.	2024-03-12 12:58:43	HAFD-24-0358	400 WRIGHT RD	311 - Medical assist, assist EMS crew	AAMB-F-ASSIST AMBULANCE FIRE
MARION TWP.	2024-03-13 09:13:25	HAFD-24-0362	931 DERBY LN	311 - Medical assist, assist EMS crew	FALL-FALL
MARION TWP.	2024-03-16 07:39:24	HAFD-24-0373	4121 PINCKNEY RD	551 - Assist police or other governmental agency	UNCON-UNCONSCIOUS/FAINTING
MARION TWP.	2024-03-16 13:32:08	HAFD-24-0374	1096 ROCKY KNOLL LN	412 - Gas leak (natural gas or LPG)	GASLK-GAS LEAK OR ORDOR
MARION TWP.	2024-03-21 19:37:52	HAFD-24-0397	3766 COUNTY FARM RD	551 - Assist police or other governmental agency	AAMB-F-ASSIST AMBULANCE FIRE
MARION TWP.	2024-03-23 12:34:10	HAFD-24-0405	4851 WINDING WAY DR	311 - Medical assist, assist EMS crew	UNCON-UNCONSCIOUS/FAINTING
MARION TWP.	2024-03-23 21:58:37	HAFD-24-0408	2100 SUNDANCE RDG	311 - Medical assist, assist EMS crew	SEIZUR-CONVULSIONS/SEIZURES
MARION TWP.	2024-03-24 10:39:17	HAFD-24-0411	3940 PINCKNEY RD	611 - Dispatched & canceled en route	UNCON-UNCONSCIOUS/FAINTING
MARION TWP.	2024-03-24 21:23:31	HAFD-24-0412	1184 N ALSTOTT DR	311 - Medical assist, assist EMS crew	FULARR-CARDIA/RESPIRATORY ARREST
MARION TWP.	2024-03-25 11:32:24	HAFD-24-0414	1249 W COON LAKE RD	746 - Carbon monoxide detector activation, no CO	CO-CO ALARM/ OR INVESTIGATION
MARION TWP.	2024-03-27 05:46:38	HAFD-24-0420	4872 PINCKNEY RD	551 - Assist police or other governmental agency	SEIZUR-CONVULSIONS/SEIZURES

Incidents by Response Zone-copy

Howell Area Fire Department
Address: 1211 W Grand River Rd, Howell, MI, 48843

RESPONSE ZONE	PSAP CALL DATE/TIME	INCIDENT NUMBER	ADDRESS	ACTUAL INCIDENT TYPE FOUND	DISPATCHED INCIDENT TYPE
MARION TWP.	2024-03-27 08:12:39	HAFD-24-0421	219 AMBER GLEN DR	311 - Medical assist, assist EMS crew	UNCON- UNCONSCIOUS/FAINTING
MARION TWP.	2024-03-29 21:06:31	HAFD-24-0431	5060 PINGREE RD	311 - Medical assist, assist EMS crew	UNCON- UNCONSCIOUS/FAINTING
MARION TWP.	2024-03-30 08:50:14	HAFD-24-0434	1801 BRIGHTON RD	551 - Assist police or other governmental agency	CHSTPN-CHEST PAIN
OCEOLA TWP.	2024-03-02 12:37:23	HAFD-24-0311	4999 E HIGHLAND RD	600 - Good intent call, other	SMKOUT-SMOKE INVESTIGATION OUTSIDE
OCEOLA TWP.	2024-03-02 14:28:42	HAFD-24-0312	4999 ARGENTINE RD	6111	GF-GRASS FIRE
OCEOLA TWP.	2024-03-03 10:22:50	HAFD-24-0315	3916 GIDEON AVE	551 - Assist police or other governmental agency	FALL-FALL
OCEOLA TWP.	2024-03-03 17:26:20	HAFD-24-0317	170 N KELLOGG RD	551 - Assist police or other governmental agency	AAMBF-ASSIST AMBULANCE FIRE
OCEOLA TWP.	2024-03-04 14:11:00	HAFD-24-0322	2376 MUSSON RD	142 - Brush or brush-and-grass mixture fire	GF-GRASS FIRE
OCEOLA TWP.	2024-03-04 18:41:23	HAFD-24-0327	2028 N LATSON RD	811 - Dispatched & canceled en route	HEM/LAC- HEMORRHAGE/LACERATION
OCEOLA TWP.	2024-03-05 09:42:53	HAFD-24-0329	3379 SHEFFIELD DR	551 - Assist police or other governmental agency	DIFBRE-BREATHING PROBLEM
OCEOLA TWP.	2024-03-07 00:02:49	HAFD-24-0335	4076 LANDON CT	551 - Assist police or other governmental agency	DIFBRE-BREATHING PROBLEM
OCEOLA TWP.	2024-03-09 06:14:04	HAFD-24-0343	1797 OLYMPIAN WAY	311 - Medical assist, assist EMS crew	UNCON- UNCONSCIOUS/FAINTING
OCEOLA TWP.	2024-03-11 07:08:18	HAFD-24-0353	1876 Latson Rd	350 - Extrication, rescue, other	EXTRIC-EXTRICATION - MOTOR VEH ACC

COMPLAINT LOG

Complaint #	Complainant Name	Offender Name	Complaint Details	Action Taken	Date Violation	Show Cause Date	Resolved
#04-23	M Bahr 3201 Grass Lake	Alison Brandt 3146 New Holland 4710-28-200-031	unlicensed trailers	ltr 8/24 photo show valid plates			Closed no issue
#05-23	M Bahr 3201 Grass Lake	Buko, Richard Nancy 3182 New Holland 4710-28-200-030	unlicensed trailers	ltr 8/24 photo show valid plates			Closed No issue
#06-23	Bennett, John Chris 4860 Sierra	Wetter, Ryan Kimberly 4900 Sierra 4710-26-301-002	Nuisance Light shining	Supervisor calls visit 8/22 ltr 8/29, 10/4 email 11/27			
#01-24	Pat Debottis 2517 Black Eagle	3745 Pinckney Rd 2525 Pinckney Rd	Blight Blight	ltr 4/3 Show Cause ltr 4/29 ltr 4/3 Show Cause ltr 4/29	3/27/2024 3/27/2024	5/9/2024 5/9/2024	

#101 General Fund
 Transactions by Account

As of April 30, 2024

Date	Num	Name	Amount
001-001 · CASH - GENERAL - FNB			
04/02/2024	12841	AMAZON CAPITAL SERVICES	-287.22
04/03/2024	12842	PNC Bank	-2,589.72
04/03/2024	12843	SCHAFFER CONSTRUCTION INC.	-11,664.00
04/03/2024	12844	KEARNS MECHANICAL LLC	-1,200.00
04/08/2024	12848	Hart InterCivic	-816.00
04/08/2024	12849	Culligan of Ann Arbor	-19.02
04/08/2024	12850	VERIZON WIRELESS	-97.11
04/08/2024	12851	THE GARBAGE MAN	-60.34
04/08/2024	12852	CITI CARDS	-1,099.64
04/08/2024	12853	DTE ENERGY	-609.26
04/08/2024	12854	FOWLerville NEWS & VIEWS	-187.50
04/08/2024	12855	QUADIENT FINANCE USA, INC.- postage	-1,825.00
04/10/2024	12845	ALERUS PAYMENT SOLUTIONS	-4,461.15
04/10/2024	12846	VOYA Institutional Trust	-300.00
04/10/2024	12847	Marion Township Flex Fund	-1,754.00
04/10/2024	0027432	LESLIE D. ANDERSEN	-343.99
04/10/2024	0027433	JAMES L. ANDERSON JR.	-172.24
04/10/2024	0027434	BARB FILLINGER	-490.53
04/10/2024	0027435	SCOTT R. LLOYD	-164.66
04/10/2024	0027436	BRUCE V. POWELSON	-106.67
04/10/2024	0027437	CHERYL A. RANGE	-593.94
04/10/2024	E179992	CHARLES ABERASTURI	-394.38
04/10/2024	E179993	TAMMY L. BEAL	-3,637.34
04/10/2024	E179994	GAIL A. BURLINGAME	-3,100.01
04/10/2024	E179995	MATTHEW J. DEDES	-3,286.23
04/10/2024	E179996	SANDY DONOVAN	-3,681.84
04/10/2024	E179997	GREGORY L. DURBIN	-1,280.93
04/10/2024	E179998	LAWRENCE W. GRUNN	-82.16
04/10/2024	E179999	DAVE HAMANN	-2,833.68
04/10/2024	E180000	ROBERT W. HANVEY	-4,377.71
04/10/2024	E180001	RICHARD HASLOCK	-524.51
04/10/2024	E180003	LOREEN B. JUDSON	-3,914.40
04/10/2024	E180004	SANDRA J. LONGSTREET	-2,581.86
04/10/2024	E180005	DANIEL F. LOWE	-564.48
04/10/2024	E180007	KITSEY A. RENNELLS	-2,780.19
04/10/2024	E180009	JESSICA S. TIMBERLAKE	-2,335.76
04/15/2024	12856	LORI OTT	-150.00
04/15/2024	12857	Charter Communications	-177.87
04/15/2024	12858	GORMLEY LAW OFFICE PLC	-408.21
04/25/2024	12859	ACCIDENT FUND CO	-2,026.00
04/25/2024	12860	ShredCorp	-900.00
04/25/2024	12861	SHELBY DWYER	-520.20
04/25/2024	12862	CONSUMERS ENERGY	-262.15
04/25/2024	12863	LIVINGSTON COUNTY GIS	-18.00

3:15 PM
05/01/24
Accrual Basis

#101 General Fund Transactions by Account

As of April 30, 2024

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
04/25/2024	12864	Blue Cross Blue Shield of Michigan	-18,621.84
04/30/2024	12865	PRINTING SYSTEMS INC	-256.58
04/30/2024	12866	Colonial Life	-647.56
04/30/2024	12867	QUADIENT LEASING USA, INC - machine	-372.66
04/30/2024	12868	BS & A SOFTWARE, INC	-3,202.00
04/30/2024	12869	Zachary Michels - Quality Zoning	-437.50

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

TRANSMITTAL

TO: Board of Trustees	DATE	May 9, 2024
	PROJECT	Show Cause Hearing Complaint #01-24 Gale 3745 Pinckney, Miller 2525 Pinckney
	VIA	Hand Delivery

WE ARE SENDING: Herewith Under Separate Cover

THE FOLLOWING:

- Complaint Form's dated 3-27-2024
- Notice of Violation dated April 3, 2024
- Certified mailers
- Notification of Show Cause Hearing dated April 29, 2024

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

REMARKS:

Please let me know if you have any questions.

FROM: Dave Hamann, Zoning Administrator
Copy: file

MARION TOWNSHIP
Complaint Form

Complaint No. 01-24

Date 3-27-24

OFFENDER

Name: DIANE GALE ⁴⁷¹⁰⁻²³⁻⁴⁰⁰⁻⁰³¹ MILLER, AND ⁴⁷¹⁰⁻¹³⁻¹⁰⁰⁻⁰²¹
Address: 3745 D-19 / 2525 PINKNEY RD
HOWELL, MI

REASON FOR COMPLAINT:

BLIGHT

How long has the condition existed? SEVERAL YEARS

Is complainant willing to testify in court? Yes () No

Name of complainant: PAT DEBOTTIS
Address: 2517 BLACK EAGLE RIDGE
Telephone: 734-323-1698

OFFICE USE ONLY

Received by: DH
Investigation completed by: DH
Date of investigation: 4-3-2024
Comments: BS&A PHOTO'S ATTACHED

NO BLIGHT ORDINANCE
6.23.2024. ALL IN BACK YARDS?
LTR sent out 4-4-2024
4.25-2024 NO CHANGE ON EITHER DH.
5-9-2024 SHOW CAUSE PKLA



MARION TOWNSHIP

www.mariontownship.com

2877 W. Coon Lake Rd.
Howell, MI 48843

Phone (517) 546-1588
Fax (517) 546-6622

Date: April 29, 2024

NOTICE TO APPEAR

TO: Gale, Diane
3745 Pinckney Rd
Howell, MI 48843

Notification was sent to you on April 3, 2024 concerning a violation of the Marion Township Zoning Ordinance.

This activity was viewed at the premises located at:

3745 Pinckney Rd
Howell, MI 48843

Per the Zoning Ordinance, a second inspection was made fifteen days after the first notice to determine if you had complied.

SINCE YOU HAVE NOT COMPLIED, IT WILL BE NECESSARY FOR YOU TO APPEAR BEFORE THE MARION TOWNSHIP BOARD AT THEIR NEXT REGULAR MEETING AS FOLLOWS:

Marion Township Hall
2877 W. Coon Lake Road
Howell, MI 48843

Date and Time: May 9, 2024 @ 7:30 p.m.

Robert W. Hanvey, Supervisor
Marion Township



MARION TOWNSHIP

www.mariontownship.com

2877 W. Coon Lake Rd.
Howell, MI 48843

Phone (517) 546-1588
Fax (517) 546-6622

April 3, 2024

GALE

Gail, Diane
3745 Pinckney Rd.
Howell, MI 48843

Re: Complaint # 01-24
Tax ID # 4710-23-400-031

This letter is written to make you aware of a complaint filed with Marion Township. The complaint is in reference to an unlicensed vehicle and junk in your yard. All vehicles must be licensed with current plate and tabs when visible on private property. Also, visible junk must be maintained according to Section 6.23 Junk ordinance. I'm attaching for your review the zoning ordinance relating to Junk.

Thank you for your prompt attention to this matter.

If you have any questions after reviewing the attached, please contact me Monday thru Thursday between 9:00 a.m. & 5:00 p.m.

Respectfully,

Dave Hamann
Zoning Administrator
Marion Township
za@mariontownship.com

Copy: file
/ Enclosure

MARION JANUARY 2024



3745 PINCKNEY RD
GALE



MARION TOWNSHIP

www.mariontownship.com

2877 W. Coon Lake Rd.
Howell, MI 48843

Phone (517) 546-1588
Fax (517) 546-6622

Date: April 29, 2024

NOTICE TO APPEAR

TO: Miller, Dawn
2525 Pinckney Rd
Howell, MI 48843

Notification was sent to you on April 3, 2024 concerning a violation of the Marion Township Zoning Ordinance.

This activity was viewed at the premises located at:

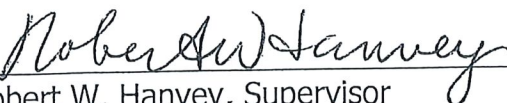
2525 Pinckney Rd
Howell, MI 48843

Per the Zoning Ordinance, a second inspection was made fifteen days after the first notice to determine if you had complied.

SINCE YOU HAVE NOT COMPLIED, IT WILL BE NECESSARY FOR YOU TO APPEAR BEFORE THE MARION TOWNSHIP BOARD AT THEIR NEXT REGULAR MEETING AS FOLLOWS:

Marion Township Hall
2877 W. Coon Lake Road
Howell, MI 48843

Date and Time: May 9, 2024 @ 7:30 p.m.


Robert W. Hanvey, Supervisor
Marion Township



MARION TOWNSHIP

www.mariontownship.com

2877 W. Coon Lake Rd.
Howell, MI 48843

Phone (517) 546-1588
Fax (517) 546-6622

April 3, 2024

Miller, Dawn
2525 Pinckney Rd.
Howell, MI 48843

Re: Complaint # 01-24
Tax ID # 4710-13-100-021

This letter is written to make you aware of a complaint filed with Marion Township. The complaint is in reference to an unlicensed vehicle and junk in your yard. All vehicles must be licensed with current plate and tabs when visible on private property. Also, visible junk must be maintained according to Section 6.23 Junk ordinance. I'm attaching for your review the zoning ordinance relating to Junk.

Thank you for your prompt attention to this matter.

If you have any questions after reviewing the attached, please contact me Monday thru Thursday between 9:00 a.m. & 5:00 p.m.

Respectfully,

A handwritten signature in black ink, appearing to read "Dave Hamann", written over a white background.

Dave Hamann
Zoning Administrator
Marion Township
za@mariontownship.com

Copy: file
/ Enclosure

MARION JANUARY 2024



2525 PINCKNEY RD
MILNER

MARION TOWNSHIP
SPECIAL USE PERMIT

Application No: <u>01-24</u>
Date: <u>1-22-2024</u>

Name of Applicant: Christopher Smith
Address of Applicant: 2718 Sexton
Phone Number: 517-375-0358
Parcel ID Number: _____
Email: CSmith02777@gmail.com

The above applicant is: Owner Purchaser Representative

(Purchaser or representative will need a letter of permission from owner)

Please include the following with your request. These items are needed to determine administrative completeness:

- The current zoning of the property involved.
- Ten (10) copies of the required site plan *(per Section 18.03 of the Marion Township Zoning Ordinance.)*
- Supporting documentation with regard to all provisions of the Marion Township Zoning Ordinance pertaining to a Special Use Request.

The undersigned agrees to comply with all of the ordinance requirements for Marion Township. Further, the undersigned acknowledges being responsible for all costs incurred by the township in relation to this request. Such costs include, but are not limited to, engineering reviews, legal fees, newspaper notices, postage, etc. The applicant understands final approval is subject to complete payment of all incurred fees and any outstanding escrow balances.

Chris Smith
Applicant's Name (print)


Applicant's Signature

Office Use Only	
Date Received: _____	Fee Paid: _____
Materials Received: _____	Site Plans: _____
Application accepted by: _____	

Section 17.32 Home-based Business

Home Occupation regulations are provided in Section 6.14. Home-based businesses are considered special uses and are therefore subject to the provisions of Article XVII, Special Use Permits, and other applicable provisions of the ordinance. A Special Use Permit, and any conditions attached thereto, may be approved by the Township Board if all the criteria listed are met.

A home-based business is an occupation, business, commercial activity, company or profession carried on by family members residing on the premises that is clearly incidental and secondary to the principal single-family residential use and has one or more of the following characteristics and is not a farm operation as defined herein:

1. The business has one or more employees who do not reside on the premises, but who work on the premises or travel to the premises to pick up business vehicles or equipment for use off the premises.
2. The business has outside storage of materials or equipment solely related to the business within a designated and screened area; and/or
3. Has vehicles related solely to the home or business.

Questions/Description	Owner/Response
Local Requirements	
Home-based businesses are permitted by Special Use Permit Local in the Rural Residential and Suburban Residential Districts.	Zoned Rural Residential

Site Requirements:	
A. A home-based business may be permitted in both the dwelling unit and accessory structure. The home-based business shall not occupy more than twenty-five (25%) percent of the total gross floor area of said dwelling including the basement; however, it may encompass the entire accessory structure. Accessory structures used for business purposes shall conform to Section 6.07 Accessory Buildings and Structures.	Business is off site with equipment stored in accessory buildings
B. The residential appearance of the dwelling shall not be altered in order to conduct the home-based business.	Residential dwelling not altered

<p>C. The home-based business shall be clearly secondary and incidental to the use of the dwelling as a place of residence and shall not result in a change to the essential character of the premises including both the dwelling and yard areas.</p>	<p>Home Based business is separated from dwelling</p>
<p>D. All of the activities on the property related to equipment and vehicle repair, cleaning, painting and maintenance associated with the home-based business shall be carried on indoors.</p>	<p>All activities are performed indoors</p>
<p>E. Storage and use of combustible, toxic or hazardous material associated with the home based business shall be done in a manner in full compliance with all federal, state and other governmental requirements concerning the use, handling, transport, storage and disposal of any such materials.</p>	<p>Very limited use of chemicals and all materials are handled and stored with the utmost care and in compliance with state and federal regulations.</p>
<p>F. Solid or liquid refuse or waste or hazardous waste generated by the home-based business shall be safely and properly disposed of in a manner in full compliance with all federal, state and other governmental requirements of any such materials.</p>	<p>All oil and antifreeze is disposed at Livingston Waste Collection sites.</p>
<p>G. In no case will radioactive, medical, or biomedical chemicals or materials waste be received, used, processed or stored on the site of the home-based business.</p> <p>. No equipment or process shall be used in such home-based business that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal human senses off the subject site. In addition, in regard to electrical interference, no equipment or process shall be used that creates visual, audible, or noticeable interference in any radio or television receivers off the site or that causes fluctuation in line voltage off the site.</p>	<p>No radioactive/medical/biomedical chemicals or materials used.</p>

<p>I. The home-based business shall be conducted so it does not constitute a nuisance or annoyance to the residents of adjoining properties due to noise, smoke, odor, electrical disturbance or night lighting, or the creation of unreasonable traffic to the premises.</p>	<p>We will not conduct any noise disturbances or fumes/glare/odors/electrical fluctuations to surrounding properties.</p> <p>Business-related work is all done off site with only loading on equipment done on site.</p>
<p>J. A resident of the dwelling on the parcel shall be actively and personally engaged in and responsible for all home occupation operations. The number of non-resident employees who can be employed by a home-based business shall be regulated by the size of the parcel containing the business as follows: Minimum Parcel Size Maximum Number of Non-Resident Employees Up to 6 acres 1 6 acres and less than 10 acres 2 10 acres and less than 12 acres 3 12 or more acres 4 The Planning Commission may recommend or the Township Board may, in its discretion, allow a greater number of non-resident employees than those shown in the table above, where the operator of the business can provide clear and convincing evidence that doing so will not interfere with the principal single-family residential use of the premises and also the surrounding area, and further, only where the non-resident employees travel to the premises to pick up business vehicles or equipment for use off the premises. In the event the home-based business premises are split or otherwise reduced in acreage, the operator will immediately be limited to the number of non-resident employees allowed on the remaining home-based business premises as shown in the table above, unless the operator seeks a new Special Use Permit on the remaining premises within 90 days of the split or reduction in acreage. In the new Special Use Permit, the Planning Commission may recommend or the Township Board may in its discretion reduce the number of non-resident employees allowed on the remaining premises.</p>	<p>The acreage is under 6. All employees over 1 will meet on Job Sites and return to the house only to pick up/ or drop off a piece of equipment.</p>

<p>K. Outdoor storage of materials and equipment involved in the business is permitted provided it is adequately screened so it is not visible from adjoining roads and properties. Measures to screen such material or equipment are subject to the recommendation of the Planning Commission and approval of the Township Board and shall include, but are not limited to, one or more of the following: a solid fence no more than six feet in height; plantings that are at least five feet in height at planting and will provide an adequate year-round screen; the topography of the site; existing vegetation on the site; or the screening is provided by existing buildings.</p>	<p>Measures are in place and process to shield any visibility from the road. Currently working on a berm north Street side of property. With planting going in on the south side.</p> <p>Another barn projected in the future to house any overflow of equipment.</p>
<p>L. The home-based business shall comply with all applicable federal, state and local laws, including, but not limited to, laws regarding licensing, occupational health and safety, and the environment.</p>	<p>Business is licensed and insured, and all work is done off premises.</p>
<p>M. Home-based business approval is not transferable with the sale, rental or lease of the dwelling unit.</p>	
<p>N. Home-based businesses are allowed signage. See Article XV Signage</p>	<p>No signage needed; no customers visit the home base business.</p>
<p>O. Visitors, customers and deliveries shall not exceed a total of twelve (12) during a single day, 7am – 7pm. The Planning Commission may recommend, or the Township Board may modify this standard in the case where the Planning Commission or the Township Board determines that the operation of the home-based business will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. No traffic shall be generated by the home-based business in volumes in excess of that which is normally associated with a single-family dwelling,</p>	<p>No business visitors or customers will visit the home. Also, any business-related deliveries will never exceed 12 in a day.</p> <p>Deliveries are rare and no customers visit home.</p> <p>No excessive traffic due to no business visitors or customers visiting the site. Which includes no addition parking needed.</p>

<p>and such traffic shall be limited to passenger vehicles, delivery vans, and similarly-sized vehicles. The Township Board may relax this requirement upon a finding that the allowance of a specified increase in traffic, including truck traffic, will not undermine the public safety and welfare based on such factors as the size of the parcel, the proximity of nearby residences, and road and dust conditions, nor unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. Nothing in this subsection shall be interpreted to allow outdoor parking in excess of that regulated by subsection below.</p>	
<p>P. In no case shall more than eight (8) motor vehicles be temporarily or permanently parked or located outdoors, including vehicles owned or used by residents of the dwelling and employees of the business. The Township Board may decrease the above standard in the case where the Township Board determines that, without such reduction in the standard, the operation of the home-based business will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. The Township Board may require screening of parking areas to minimize negative impacts on neighboring properties.</p>	<p>Currently have 4 trucks for business and 2 personal for the residents and 1 employee vehicle.</p> <p>All trucks are stored outside of visibility for the road and kept for negative impacting neighbors' views.</p>

<p align="center">Performance Standards:</p>	
<p>Prior to recommending approval, the Planning Commission shall determine that the proposed home-based business is not incompatible with existing land uses in the area and would not be detrimental to the safety or convenience of vehicular or pedestrian traffic.</p> <p>A. For a home-based business, an informal site plan (does not need to comply with the requirements found in Article XVIII Site Plan</p>	<p>Attached is special use permit and site review for zoning.</p>

<p>Review) or plot plan must be submitted for review and recommendation by the Marion Township Planning Commission. The site plan shall be to scale and need only illustrate the following: 1) Owner's name, parcel identification (tax ID#) and address. 2) An 11 x 17-inch color aerial photograph of the site area and surrounding areas showing overlaying property lines with contour lines and the proposed site layout with dimensions. (available at Livingston County GIS). 3) Existing and proposed structures with dimensions indicating the location(s) and square footages to be occupied by the home-based business, subject property setbacks as well as distances from the proposed home-based business location on-site to adjacent property lines. 4) Location of driveways, off-street parking areas & delivery and storage areas. 5) Proposed landscaping/screening in association with any parking to minimize negative impacts on nearby properties, 6) The location, character, and dimensions of any structural additions or modifications to an existing dwelling or accessory structure to accommodate the home-based business.</p>	
<p>B. In addition to the information required in this section and the site plan described above, the applicant shall submit a detailed description of the nature of the home-based business, which shall clearly specify the following minimum features: 1) A detailed description of the character of the home-based business including but not limited to the service or product offered and the typical daily schedule of activities of such business. 2) The type and frequency of vehicular traffic to be generated by the home-based business. The maximum number of vehicles to be parked or otherwise located outdoors including vehicles owned or used by residents of the dwelling and employees of the home-based business. 3) The number of full-time and part-time employees of the business and the</p>	<p>Lawn and landscape maintenance services performed off site during seasonal months April-November depending on weather. 8am – 6pm</p>

frequency at which such employees will be present at the site.	
C. The Planning Commission may require additional information if it determines the character of the project, site or surrounding conditions necessitates further investigation, allowing it to make a sound decision on the application.	
D. Any approval of a home-based business, and any permit issued for such occupation, shall clearly delineate any conditions upon which such approval is granted including any conditions pertaining to the number of employees, outdoor parking of vehicles, an	

Property line

495.15

240.57

501.93

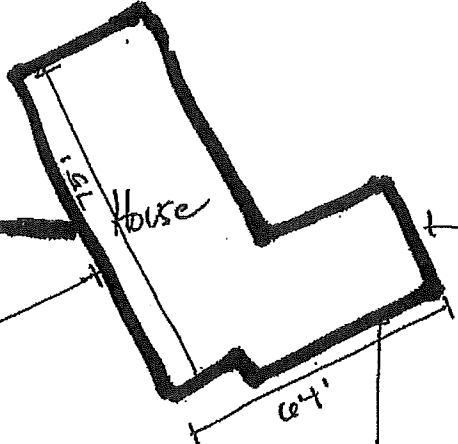
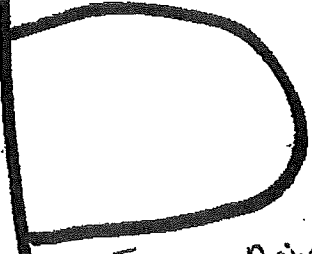
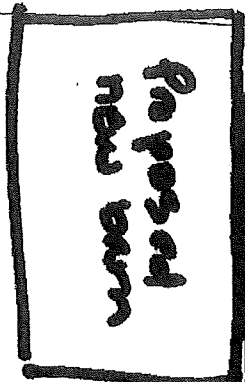
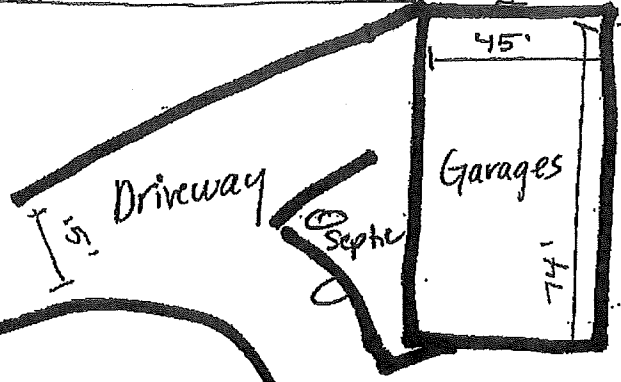
101

278

85'

342'

208.54



Property Line

254.03

Septic

N ↑

278.72

Property Line



Find address or place



Marion Township

- Par
- Pro
- Ac
- Cl
- Zo

200ft

II. SOLID SALT AND SAND-SALT STORAGE Possible ways to eliminate the requirement for sand-salt mixture storage and containment provisions would be:

- Use alternative deicing products and clean sand whenever possible to eliminate salt contaminated runoff.
- Store the sand and salt separately and batch-mixed it on an as needed basis, if the amount of salt on-site is below 5 tons. If solid salt and sand-salt are on-site and meet threshold management quantities of 5 tons or more, the following provides requirements and guidelines for proper storage at salt loading and unloading sites.

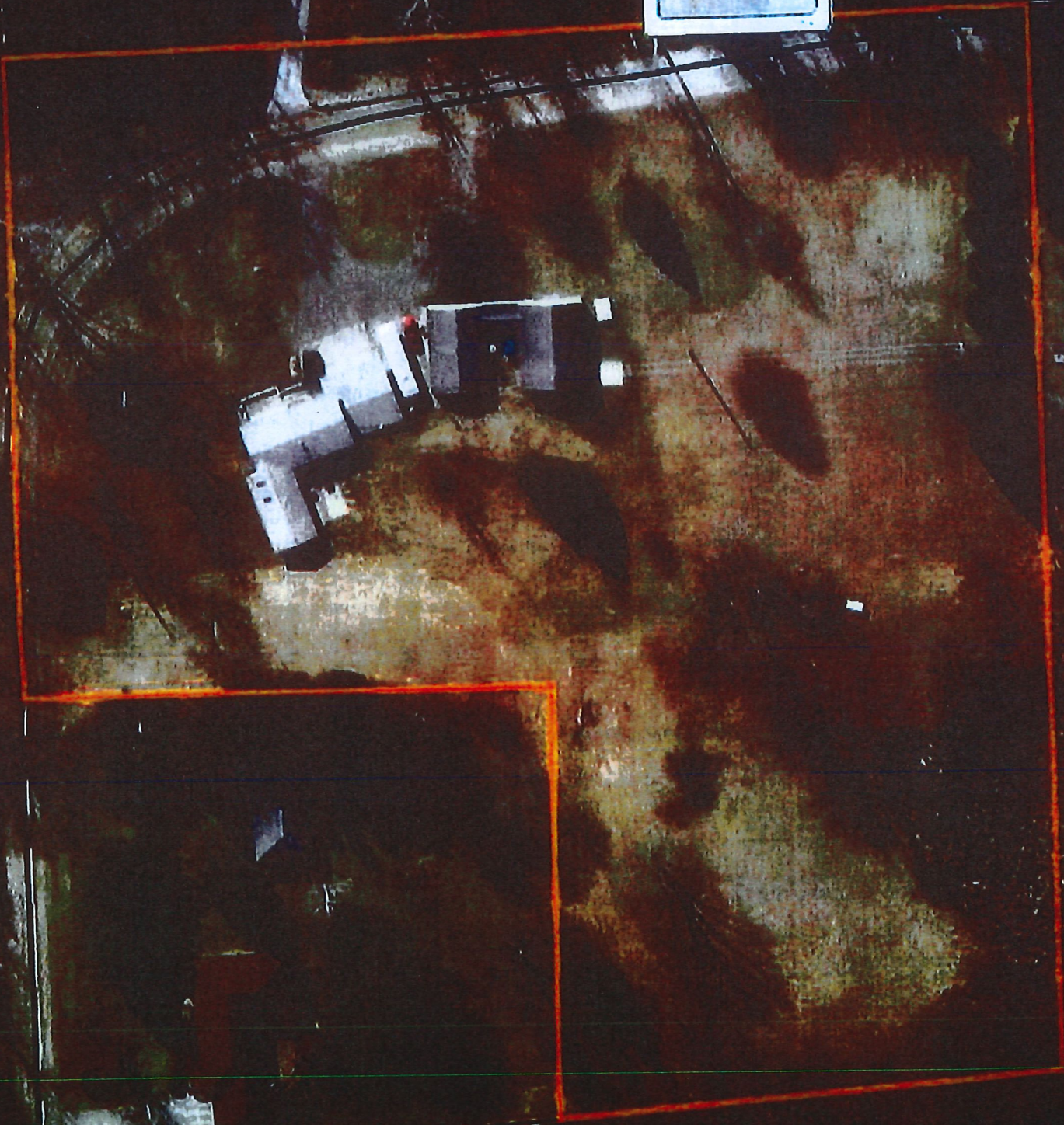
A. All solid salt and sand-salt at the site must be stored in an enclosed building, or covered with waterproof tarps, when the facility's total salt storage exceeds the threshold management quantity. This practice will help prevent the generation of salt contaminated runoff and the need for runoff collection and disposal. Storage on impervious surfaces such as asphalt or coated concrete that provide 1×10^{-7} centimeters per second permeability or less should also be utilized to eliminate salt contaminants from seeping to groundwater. If tarps are used, it will be necessary to ensure they are providing the necessary salt protection. The rules do not require a specific type of structure to be built. For more guidance on constructing salt storage units or calculating space needed for storage, see the salt storage publications from the Salt Institute. At the www.saltinstitute.org website, select "About the Salt Institute" "Publications and Audio-visual materials" and scroll down to "Winter Maintenance". The Salt Storage Handbook contains tables showing how much space different height piles will cover and also provides exposure surface areas to use in calculating how many tarps would be needed for covering salt piles. Road agencies may also contact the Michigan Department of Transportation at 517-322-3319 for information.

B. All solid salt and sand-salt must be stored at least 50 feet from the shore or bank of any lake or stream or any designated wetland.

C. Any salt and sand-salt containment structures located within a 100-year floodplain as defined by the federal flood disaster protection act of 1973, 42 U.S.C. 4001 et seq., must be designed and constructed to remain effective during a 100-year flood. Some floodplain information is on the Internet through the Federal Emergency Management Agency at www.fema.gov. Floodplain information may be available through watershed groups, and Soil and Water Conservation District. Or contact the DEQ Land and Water Management Division, Water Management Section at 517-373-1170.

D. Storage and handling of solid salt awaiting transfer at regional distribution sites, and sandsalt not stored within an enclosed structure, must be designed to contain the salt to prevent run-on, runoff, seepage, or leakage to public sewers or to surface water or groundwater. The salt containment should include storage on an impervious pad and a waterproof tarp covering at all times prior to use. The pad must be sloped to direct salt contaminated runoff to an appropriate collection area, and in a manner that prevents the runoff from reaching the soil or surface waters. The curbing must also direct runoff to an appropriate col

to Image
on File



Special Use Permit Review for Marion Township Planning Commission

INTRODUCTION

Petition Number	SUP 01-24 Smith
Applicant	Christopher Smith
Request	Special use permit for a lawn and landscaping home-based business
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Number	10-16-200-019

REASON SUMMARY

The applicant is requesting special use permit approval for a home-based business. The proposed use is a seasonal lawn and landscaping business. Home-based businesses require special use permit approval in Rural Residential (RR) zoning districts.

According to information provided by the applicant, the home-based business will:

- store equipment in accessory buildings
- not alter the character of the existing single-family dwelling
- make limited use of chemicals, in compliance with state and federal regulations
- dispose of oil and antifreeze at Livingston County Waste Collection sites
- not use radioactive, medical, or biomedical chemicals or materials
- not generate noise disturbances, fumes, glares, or electrical fluctuations
- only have 1 non-resident employee on site, with other employees only visiting to collect or return equipment
- install screening, such as a berm and planting to provide screening from Sexton
- not have signage
- not have any business visitors or customers
- have less than 12 business-related trips/deliveries in a day
- not require additional parking
- use 4 trucks
- provide lawn and landscape maintenance services off-site from April through November from 8:00 am through 6:00 pm

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
February 5, 2024

Special use permit applications usually also require site plan review and approval. Home-based businesses may provide a less formal site plan that shows basic parcel information; existing and proposed structures; driveway, parking, and storage areas; proposed landscaping; and details of proposed additions or modifications. The Planning Commission and Township Board may require additional information during review.

The application appears to include most but not all of the required information.

PROPERTY INFORMATION

Address	2718 Sexton
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Numbers	10-16-200-019
Lot Area	4.57 acres (<i>gross, includes right-of-way</i>)
Parcel Number	10-16-200-019
Frontage	~640 feet (<i>including southern and western front lot lines</i>)
Current Zoning	Rural Residential (RR)
Existing Uses	Single-family dwelling
Future Land Use Map	Low Density Residential

SPECIAL USE STANDARDS

Specific standards for home-based businesses are outlined in §17.32 Home-based Businesses.

Home-based businesses are more intensive than home occupations and are recognized as an occupation, business, commercial activity, company, or profession conducted by family members living on the property. Home-based businesses may have non-resident employees, may store equipment or materials in a screened area, or has vehicles dedicated to the activity.

There are 16 site standards for home-based business. Those standards requiring closer attention are examined below.

It appears likely that the home-based business will occupy less than 25 percent of the total gross floor area of the dwelling. Additional information should be provided concerning the floor area of the dwelling and of the home-based business.

The application states all activities will be performed indoors. It is our understanding that there may be outdoor storage of salt during winter. This should be clarified and shown on the plans, with months of operation amended as necessary.

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
February 5, 2024

Some chemicals will be used as part of the home-based business. These chemicals should be clarified with storage and containment information provided. The property is adjacent to a wetland area and surrounding residential properties.

Home-based occupations on parcels with a lot area of up to 6 acres can have a maximum of 1 non-resident employee. Additional non-resident employees may be permitted by the Township if the operator presents clear and convincing evidence that 1) additional non-resident employees will not impact the surrounding single-family residential use and surrounding area and 2) non-resident employees are limited to visiting the premises to drop-off or pick-up equipment. The application indicates that there will be additional non-resident employees, but the number of non-resident employees is not specified. The applicant should also clarify if non-resident employees will be parking their personal vehicles on the site while using work vehicles or where their personal vehicles will be parked when visiting the site.

Outdoor storage of materials or equipment must be screened from adjacent roads and properties. The application states that some additional screening will be installed. The location and exact nature of this screening is not clear, so it is not possible to determine compliance at this time.

The application proposes limiting hours of operation to 8:00 am through 6:00 pm. This is consistent with permitted hours of operation. The applicant should confirm that operations will not take place outside of the proposed hours, as doing so could result in revocation of the special use permit.

It appears most of the other site standards for a home-based business are satisfied or could be satisfied.

There are 4 performance standards for home-based businesses, primarily focused on application materials and review processes. Those standards requiring closer attention are examined below.

The application states that there will be 4 vehicles for the home-based business. This should be confirmed. If additional vehicles are anticipated in the future, it could require a new special use permit review and approval for the modification.

The application state that there will be additional non-resident employes, but It does not state how many there will be.

Approval of the special use permit for the home-based business should be in the form of a resolution, similar to a zoning map amendment resolution, to clearly document the findings and conditions of approval.

The proposed home-based occupation may meet the specific standards, but additional information is necessary to confirm compliance.

DECISION CONSIDERATIONS

The special use permit process is outlined in Article XVI Special Use Permits.

Unlike other special use permit applications, home-based businesses do not require full site plans.

The Planning Commission reviews special use permits at a public hearing and makes a recommendation to the Township Board, which makes the final decision.

In order to approve a special use permit, all of the bases of determination must be found to be true. These bases are defined in §16.05 Basis of Determination and are explored below.

The comments below are based on information provided in the application and through research. Additional information may be discovered or provided at the Planning Commission meeting.

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

Home-based businesses are consistent with the general principles and objectives of the Master Plan, provided they do not create negative impacts on surrounding properties. Additional information, such as screening, number of employees, and material storage, is necessary for confirmation of potential impacts.

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

Additional information, such as screening, number of employees, material storage, vehicle parking location, and building setback, is necessary to confirm if the proposed home-based business will be harmonious with the surrounding residential area.

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

Additional information, such as material storage and building setback, is necessary to determine if the proposed home-based business will be hazardous or disturbing to the surrounding area.

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

It appears likely that the proposed home-based business will be adequately served by essential public facilities and services.

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
February 5, 2024

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

It does not appear that the proposed home-based business will not be detrimental to nearby residents or properties if activities are conducted indoors and outdoor equipment and material storage is properly located and screened.

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

The proposed home-based business is a special use permit in the Rural Residential (RR) district. It appears to meet most of the specific standards, but additional information is necessary, as outlined in this report, to confirm compliance with all of the specific standards for a home-based business.

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

The application states that a berm and trees will be added to provide some screening. It is not clear what other modification or tree removal might be necessary. Additional information should be provided.

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

It does not appear that there will be significant surface improvements that would increase stormwater runoff. Additional information about the proposed accessory building, such as setback and how runoff will be directed, should be provided.

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

The applicant should confirm if there will be any exterior lighting and provide details for any exterior lighting.

10. Meet the site plan review requirements of Article XVIII. If the applicant chooses to submit a preliminary site plan, the special use permit may also be considered preliminary.

Home-based businesses do not need to meet the full site plan requirements of Article VIII, per §17.32 Performance Standards (A). The informal site plan that has been submitted is not drawn to scale and does not include all of the necessary information at this time. The informal site plan should be revised to include missing information identified in this report and required by the Planning Commission.

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

This should be a condition of approval.

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
February 5, 2024

PETITION TIMELINE

The application was submitted to the Township on January 22, 2024.
The application will go before the Planning Commission at its February 13, 2024, meeting.
Following a recommendation from the Planning Commission, the application will be forwarded to the Township Board for final action.

SUMMARY

The requested special use permit for a lawn and landscaping home-based business may be consistent with the specific standards and bases of determination. However, additional information, identified throughout this report, is needed to confirm consistency with some of the specific standards and bases of determination.

The Planning Commission should review the information available and direct the applicant to provide additional information.

A draft resolution has not been prepared at this time due to the need for additional information and documentation.

We look forward to helping facilitate this process at the meeting.

Zach Michels
Quality Zoning
Dexter, MI

Section 17.32 Home-based Business

Revision for all areas that needed clarification per meeting.

Clarifications added to original in red. Please note that these are proposed and not how we functioned in the past but moving forward after approval.

Also, there is an open land balancing permit with Livingston County for 8a-8p that is work on the home. This is not business work. The business is done at customers' homes.

Home Occupation regulations are provided in Section 6.14. Home-based businesses are considered special uses and are therefore subject to the provisions of Article XVII, Special Use Permits, and other applicable provisions of the ordinance. A Special Use Permit, and any conditions attached thereto, may be approved by the Township Board if all the criteria listed are met.

A home-based business is an occupation, business, commercial activity, company or profession carried on by family members residing on the premises that is clearly incidental and secondary to the principal single-family residential use and has one or more of the following characteristics and is not a farm operation as defined herein:

1. The business has one or more employees who do not reside on the premises, but who work on the premises or travel to the premises to pick up business vehicles or equipment for use off the premises.
2. The business has outside storage of materials or equipment solely related to the business within a designated and screened area; and/or
3. Has vehicles related solely to the home or business.

Questions/Description	Owner/Response
Local Requirements	
Home-based businesses are permitted by Special Use Permit Local in the Rural Residential and Suburban Residential Districts.	Zoned Rural Residential

Site Requirements:	
A. A home-based business may be permitted in both the dwelling unit and accessory structure. The home-based business shall not occupy more than twenty-five (25%) percent of the total gross floor area of said dwelling including the basement; however, it may encompass the entire accessory structure. Accessory structures used for business purposes shall conform to Section 6.07 Accessory Buildings and Structures.	Business is off site with equipment stored in accessory buildings. There is a separate open land balance permit for work on property. Any Outside work for business is loading or small bits of maintenance that can not be done indoors. I need to be able to use my land balancing permit without the being accused of work. My work is landscaping done on other people's homes. But the business its self is off site and done on customers properties .

<p>B. The residential appearance of the dwelling shall not be altered in order to conduct the home-based business.</p>	<p>Residential dwelling not altered</p>
<p>C. The home-based business shall be clearly secondary and incidental to the use of the dwelling as a place of residence and shall not result in a change to the essential character of the premises including both the dwelling and yard areas.</p>	<p>Home Based business is separated from dwelling Please note that there is Current improvements being done at home that is not business activity by balancing land for personal enjoyment and improvement for home.</p>
<p>D. All of the activities on the property related to equipment and vehicle repair, cleaning, painting and maintenance associated with the home-based business shall be carried on indoors.</p>	<p>All activities are performed indoors, except for loading machinery and salt.</p>
<p>E. Storage and use of combustible, toxic or hazardous material associated with the homebased business shall be done in a manner in full compliance with all federal, state and other governmental requirements concerning the use, handling, transport, storage and disposal of any such materials.</p>	<p>Very limited use of chemicals and all materials are handled and stored with the utmost care and in compliance with state and federal regulations. PIPP is in place and registered with DEQ. Find attached documents of adjustment made a PIPP in place.</p>
<p>F. Solid or liquid refuse or waste or hazardous waste generated by the home-based business shall be safely and properly disposed of in a manner in full compliance with all federal, state and other governmental requirements of any such materials.</p>	<p>All oil and antifreeze is disposed at Livingston Waste Collection sites.</p>
<p>G. In no case will radioactive, medical, or biomedical chemicals or materials waste be received, used, processed or stored on the site of the home-based business. . No equipment or process shall be used in such home-based business that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal human senses off the subject site. In addition, in regard to electrical interference, no equipment or process shall be used that creates visual, audible, or noticeable interference in any radio or television receivers off the site or that causes fluctuation in line voltage off the site. I. The home-based business shall be conducted so it does not constitute a nuisance or annoyance to</p>	<p>No radioactive/medical/biomedical chemicals or materials used.</p>

<p>the residents of adjoining properties due to noise, smoke, odor, electrical disturbance or night lighting, or the creation of unreasonable traffic to the premises.</p>	<p>We will not conduct any noise disturbances or fumes/glare/odors/electrical fluctuations to surrounding properties.</p> <p>Business-related work is all down off site with only loading on equipment and tools done on site.</p>
<p>J. A resident of the dwelling on the parcel shall be actively and personally engaged in and responsible for all home occupation operations. The number of non-resident employees who can be employed by a home-based business shall be regulated by the size of the parcel containing the business as follows: Minimum Parcel Size Maximum Number of Non-Resident Employees Up to 6 acres 1 6 acres and less than 10 acres 2 10 acres and less than 12 acres 3 12 or more acres 4 The Planning Commission may recommend or the Township Board may, in its discretion, allow a greater number of non-resident employees than those shown in the table above, where the operator of the business can provide clear and convincing evidence that doing so will not interfere with the principal single-family residential use of the premises and also the surrounding area, and further, only where the non-resident employees travel to the premises to pick up business vehicles or equipment for use off the premises. In the event the home-based business premises are split or otherwise reduced in acreage, the operator will immediately be limited to the number of non-resident employees allowed on the remaining home-based business premises as shown in the table above, unless the operator seeks a new Special Use Permit on the remaining premises within 90 days of the split or reduction in acreage. In the new Special Use Permit, the Planning Commission may recommend or the Township Board may in its discretion reduce the number of non-resident employees allowed on the remaining premises.</p>	<p>The acreage is under 6. All employees over 1 will meet on Job Sites and return to the house only to pick up/ or drop off a piece of equipment.</p> <p>1 nonresident employee will meet at residence others will drive to job site or take work truck home. That 1 nonresidential employee will park their personal vehicle and use a business vehicle on site per ordinance.</p>
<p>K. Outdoor storage of materials and equipment involved in the business is permitted provided it</p>	<p>Measures are in place and process to shield any visibility from the road. Currently working on a</p>

<p>is adequately screened so it is not visible from adjoining roads and properties. Measures to screen such material or equipment are subject to the recommendation of the Planning Commission and approval of the Township Board and shall include, but are not limited to, one or more of the following: a solid fence no more than six feet in height; plantings that are at least five feet in height at planting and will provide an adequate year-round screen; the topography of the site; existing vegetation on the site; or the screening is provided by existing buildings.</p>	<p>berm north Street side of property. With planting going in on the south side.</p> <p>Per site plan, we have established we are removing the berm and planting trees per ordinance of 20ft spacing. They are drawn on site plan with a total of 13 evergreens going in. We have removed asking for another building at this time.</p>
<p>L. The home-based business shall comply with all applicable federal, state and local laws, including, but not limited to, laws regarding licensing, occupational health and safety, and the environment.</p>	<p>Business is licensed and insured, and all work is done off premises.</p>
<p>M. Home-based business approval is not transferable with the sale, rental or lease of the dwelling unit.</p>	
<p>N. Home-based businesses are allowed signage. See Article XV Signage</p>	<p>No signage needed; no customers visit the home base business.</p>
<p>O. Visitors, customers and deliveries shall not exceed a total of twelve (12) during a single day, 7am – 7pm. The Planning Commission may recommend, or the Township Board may modify this standard in the case where the Planning Commission or the Township Board determines that the operation of the home-based business will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. No traffic shall be generated by the home-based business in volumes in excess of that which is normally associated with a single-family dwelling, and such traffic shall be limited to passenger vehicles, delivery vans, and similarly-sized vehicles. The Township Board may relax this requirement upon a finding that the allowance of a specified increase in traffic, including truck traffic, will not undermine the public safety and welfare based on such factors as the size of the parcel, the proximity of nearby residences, and road and dust conditions, nor unreasonably</p>	<p>No business visitors or customers will visit the home. Also, any business-related deliveries will never exceed 12 in a day.</p> <p>Deliveries are rare and no customers visit home.</p> <p>No excessive traffic due to no business visitors or customers visiting the site. Which includes no addition parking needed.</p>

<p>interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. Nothing in this subsection shall be interpreted to allow outdoor parking in excess of that regulated by subsection below.</p>	
<p>P. In no case shall more than eight (8) motor vehicles be temporarily or permanently parked or located outdoors, including vehicles owned or used by residents of the dwelling and employees of the business. The Township Board may decrease the above standard in the case where the Township Board determines that, without such reduction in the standard, the operation of the home-based business will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. The Township Board may require screening of parking areas to minimize negative impacts on neighboring properties.</p>	<p>Currently have 4 trucks for business and 2 personal for myself, and 1 employee vehicle.</p> <p>All trucks are stored outside of visibility for the road and kept for negative impacting neighbors' views. Still working on adjusting the visibility with an open land balancing permit until July. I need to be able to do work on my own property without people thinking it is for my business. The land balancing permit is form 8a-8p.</p> <p>Per site plan attached with will be planting trees and parking strategically to minimize visibility.</p>

<p align="center">Performance Standards:</p>	
<p>Prior to recommending approval, the Planning Commission shall determine that the proposed home-based business is not incompatible with existing land uses in the area and would not be detrimental to the safety or convenience of vehicular or pedestrian traffic.</p> <p>A. For a home-based business, an informal site plan (does not need to comply with the requirements found in Article XVIII Site Plan Review) or plot plan must be submitted for review and recommendation by the Marion Township Planning Commission. The site plan shall be to scale and need only illustrate the following: 1) Owner's name, parcel identification (tax ID#) and address. 2) An 11 x 17-inch color aerial photograph of the site area and surrounding areas showing overlaying property lines with contour lines and the proposed site layout with dimensions. (available at Livingston County GIS). 3) Existing and proposed structures with dimensions indicating the location(s) and square footages to be occupied by the home-based business, subject property setbacks as well</p>	<p>Attached is special use permit and site review for zoning.</p> <p>Attached is a new site plan done by Boss engineering with the proposed landscape screening per zoning ordinance.</p> <p>No additional building at this time. No exterior lights to be installed.</p> <p>Will do what ever is necessary to make an dwelling harmonious and working an fixing all site lines.</p>

<p>as distances from the proposed home-based business location on-site to adjacent property lines. 4) Location of driveways, off-street parking areas & delivery and storage areas. 5) Proposed landscaping/screening in association with any parking to minimize negative impacts on nearby properties, 6) The location, character, and dimensions of any structural additions or modifications to an existing dwelling or accessory structure to accommodate the home-based business.</p>	
<p>B. In addition to the information required in this section and the site plan described above, the applicant shall submit a detailed description of the nature of the home-based business, which shall clearly specify the following minimum features: 1) A detailed description of the character of the home-based business including but not limited to the service or product offered and the typical daily schedule of activities of such business. 2) The type and frequency of vehicular traffic to be generated by the home-based business. The maximum number of vehicles to be parked or otherwise located outdoors including vehicles owned or used by residents of the dwelling and employees of the home-based business. 3) The number of full-time and part-time employees of the business and the frequency at which such employees will be present at the site.</p>	<p>Bulk of operations - Lawn and landscape maintenance services performed off site during seasonal months March- November depending on weather. 8am – 6pm Winter Operations of Nov-Feb are limited and are constantly being adapted to on going conditions.</p>
<p>C. The Planning Commission may require additional information if it determines the character of the project, site or surrounding conditions necessitates further investigation, allowing it to make a sound decision on the application.</p>	<p>Inserted clarification in red for any concerns or questions that arose.</p>
<p>D. Any approval of a home-based business, and any permit issued for such occupation, shall clearly delineate any conditions upon which such approval is granted including any conditions pertaining to the number of employees, outdoor parking of vehicles, an</p>	

POLLUTION INCIDENT PREVENTION PLAN (PIPP)

I. Identification Information

a. Location/Mailing Address:

Timberline Outdoor Services 2718 Sexton Rd
Howell MI, 48843

Phone 517-375-0358 Business 517-672-9419

b. Spill Coordinators and cell phones to be called if have a release:

1. Chris Smith (Owner) 517-375-0358, Spill Coordinator

2. Sarah Smith 517-672-9419, Alternate Spill Coordinator 1

if Chris 517-375-0358 Alternate Spill Coordinator 2 if Chris is not available Sarah Smith 517-672-9419

c. Location Map attached at end of papers d. Facility Operations: Office, maintenance shop, equipment storage building, and onsite storage of polluting materials

Michigan Department of Environmental Quality

Peas Hotline 800-292-4706

II. Materials Stored

a. Solid Salt Max. 50 tons, salt storage building Salt is the only material that exceeds threshold planning quantities.

e. Bulk Gasoline Max. 600 gal., two 300 gallon above ground tanks with extra containments being installed by 3/22/24 1 tank is 87 GAS-ETHANOL 1 tank is low sulfur Deisel

III. Storage/Buildings

a. Above Ground Gasoline Storage Tanks – new 2022 Consists of two 550 gal. stainless steel tanks. Secondary containment consists of dual wall construction with leak detection system. Corrigan is supply second containment – Receipt attached

b. Salt Storage Building – built 2023 Concrete Bin Block construction with concrete curbed pad. Covered loading/unloading area with concrete pad sloped to center. Drains permanently blocked off to allow collection of snowmelt and rain.

c. Annual employee training on spill prevention and cleanup, new employees trained before operating equipment.

b. Weekly inspections of site looking for any signs of releases.

c. Procedures put in place to minimize spills while loading/unloading. We also will have a hydro vac trailer to vacuum any spills along with skid steers to scrap spills

d. Minor spills will be contained and cleaned up. Soak up liquids with absorbents like clay or sand. If no free liquid is put in trash if approved by waste disposal company. Sweep up spilled salt and use for deicing.

e. Large spills and/or road accidents where materials got into water, call cleanup contractor.

Spill Coordinator will report the following spills:

1. Salt spills over 50 pounds or 50 gallons of brine onto the ground or into water: Call MDEQ PEAS and 911 as required by Part 5 rules

2. Gasoline release of 32 gallons or more onto the ground: Call MDEQ PEAS as required by Part 201 (Note: See calculation example at <http://www.deq.state.mi.us/documents/deq-ess-sara-releasecalcs.pdf>)

3. Any amount of oil or fuel that reaches surface water or shorelines: Call MDEQ PEAS and the National Response Center as required by the Clean Water Act and Part 31.

4. Any spill that they are in doubt about reporting: Call MDEQ PEAS.

5. Within 10 days of release, submit a written spill report for reportable releases to:
i MDEQ Water Bureau Field Operations Chief, PO Box 30273, Lansing MI 48909-7773

Note: the optional report form EQP3465 is at http://www.michigan.gov/deq/0,1607,7-135-3307_29894_5959-20341--,00.html The DEQ may request other follow-up reports depending on the situation.

V. Emergency Numbers the Spill Coordinator is to contact:

a. MDEQ Pollution Emergency Alerting System 800-292-4706

b. MDEQ District Office Lansing MI 517-284-6651

c. Howell Fire, Police, and EMS 911

Spill Contractor:

Young's Environmental Emergency number 1-800-496-8647

Flint, Michigan (Corporate Headquarters)

G-5305 N Dort Hwy

Flint, MI 48505

Phone: (810) 789-7155

Fax: (810) 789-3606

Republic Services Emergency Response

800.899.4672

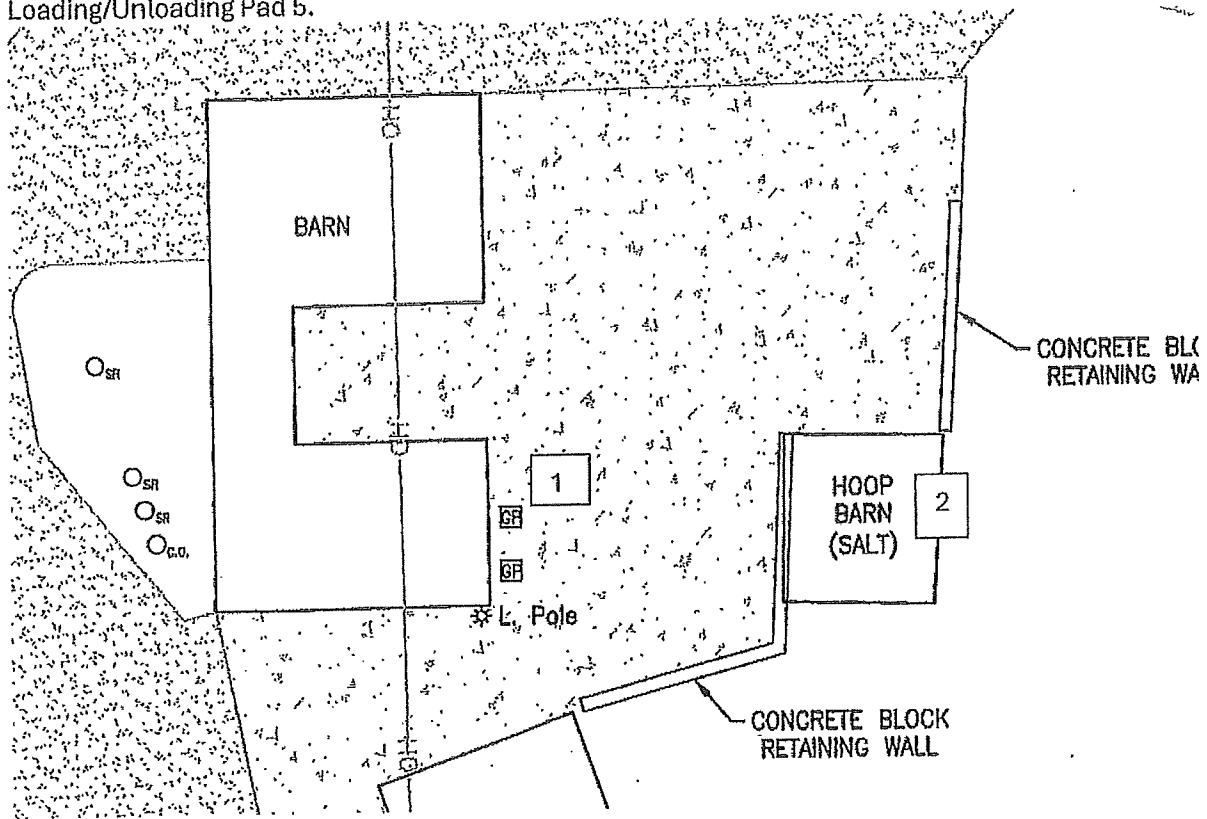
Belleville Facility Landfill

49350 North I-94 Service Drive

Belleville, MI

734.699.6265

Legend: 1. Aboveground Gasoline Storage tanks
2. Salt Storage Building with Covered Salt Loading/Unloading Pad 5.



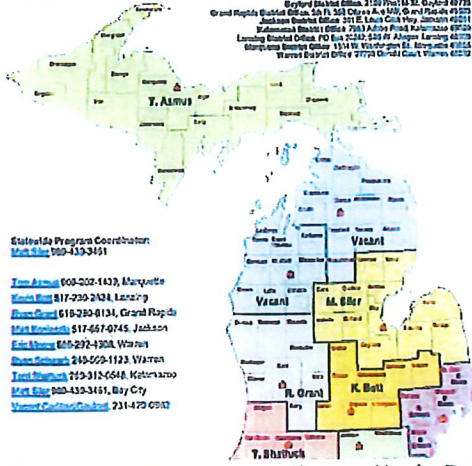
ADDITIONAL QUESTIONS? Contact the DEQ Water Bureau District Office for information about salt storage requirements. Contact the DEQ Waste and Hazardous Materials Division District Office for information about waste requirements. Unsure who to call? Contact the Environmental Assistance Center at 800-662-9278 for referral.

MSDS and all Safety data sheets are in Barn.

Pollution Incident Prevention Plans (PIPP) & Part 5 Rules Staff

[Michigan envPart5](#)

Bay City District Office 431 Franklin Street, Suite 10, Bay City, MI 49703
 Cadillac District Office 112 W. Edwards St., Cadillac, MI 49601
 Bayport District Office 3124 Peach St., Bayport, MI 49705
 Grand Rapids District Office 20 N. 24th Street, SW, Grand Rapids, MI 49503
 Jackson District Office 217 E. Locust, Jackson, MI 49201
 Kalamazoo District Office 7501 Kalamazoo Road, Kalamazoo, MI 49001
 Lansing District Office PO Box 2410, Lansing, MI 48906
 Marquette District Office 1514 W. Water Street, Marquette, MI 49854
 Warren District Office 27700 Grand Canal, Warren, MI 48090



Statewide Program Coordinator:
[Kevin Bott](#) 503-433-3451

- [Tom Anant](#) 603-202-1433, Marquette
- [Kevin Bott](#) 517-250-2431, Lansing
- [Brian Grant](#) 616-250-8131, Grand Rapids
- [Mark Kowalski](#) 617-647-0745, Jackson
- [Eric Kiang](#) 616-292-4304, Warren
- [Ryan Schwan](#) 249-629-1123, Warren
- [Tara Shatovich](#) 249-312-6548, Kalamazoo
- [Kevin Bott](#) 503-433-3451, Bay City
- [Warren Coordinator](#) 231-479-0207

Sent email to our Coordinator Kevin Bott
 That PIPP is in Place



Hydro Vac to vacuum any spills and skid steers to scoop and scrape any spills





775 N. Second • Brighton, MI 48116
(810) 229-6323 • (800) FAST-OIL • Fax (810) 229-4970

INDUSTRIAL & AUTOMOTIVE • LUBRICANTS • HOME HEATING OILS • DIESEL • KEROSENE • GASOLINE • DEF • PROPANE

March 18, 2024

Timberlane Outdoor Services
Attn: Chris Smith
718 Sexton Rd
Howell, MI 4884

Dear Chris:

Corrigan appreciates the opportunity to service you. We are pleased to offer you the following product quotation.

<u>Product Rental:</u>	<u>ORDER QUANTITY</u>	<u>PRE TAX RENTAL</u>
<u>PRODUCT</u>		
Containment for 550 DW Tanks	2 @ \$275.00 each	\$550.00(monthly fee)
Delivery	1 @ \$150.00 each	\$150.00 (one-time fee)

TERMS OF SERVICE

Invoices will have an environmental fee of \$9.95 per delivery.
Lead time: 3-5 business days for equipment,
Payment terms: NET 2 Days
Ref: E24050
Equipment pricing is subject to review in 30 days.
As per agreement containments estimated delivery by the end of week.

Orders may be placed via email through orders@corriganoil.com or by phone at (800) FAST OIL. We thank you for the opportunity and look forward to further discussion.

PIPP COMPLETENESS REVIEW CHECKLIST

This checklist is provided to help identify that the minimum requirements included in Rule 323.2006 that must be addressed in the PIPP along with a few recommended items to include. Include components that are specific to the facility's pollution prevention methods and emergency response. It is not required to provide the information in the order presented. This checklist does not address all the requirements that may be needed to be included if preparing an Integrated Contingency Plan (ICP) as that will vary with the other planning regulation requirements.

IN THE PLAN? I: Facility Identification Information Rule 6(1)(a)

Yes No N/A Identify the following information about the facility:

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Facility name |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Facility owner |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Mailing address |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Street address (if different from mailing address) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Facility telephone number |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. 24-Hour emergency telephone number(s) It is recommended to list coordinator's office, home, cell phone, pager, etc. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. Designated spill prevention and control coordinator. It is recommended to also have an alternate contact. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. Name of person(s) responsible for on-site spill prevention and control (if different from coordinator). It is recommended to also identify an alternate contact. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Procedures that will be used to alert individuals within the facility of an emergency at the facility: |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Spill prevention and control coordinator |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Person(s) responsible for on-site spill prevention and control if different from coordinator, and |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c. Other people in the facility about the emergency including employees, visitors, contractors, etc. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Map showing facility relative to the surrounding area, include thoroughfares. |

II: Notification Procedures to Entities Outside of Facility Rule 6(1)(b) and Part 31 Section 3111b Identify the reporting procedures that will be used to notify entities off-site. At a minimum, include notification to the following:

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Michigan Department of Environmental Quality |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. PEAS Hotline 800-292-4706 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. District office during business hours (recommended) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. U.S. Coast Guard - National Response Center 800-424-8802 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. 911 or if that service not available, then contact your community's primary public safety answering point |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Local emergency planning committee (check if covered by calling 911) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Local fire department (check if covered by calling 911) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Local law enforcement agency (e.g. police, sheriff's department, <u>state police</u>) (check if covered by calling 911) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Municipal wastewater treatment plant if facility served by that plant |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. Spill clean-up contractor, or consulting firm, or both |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Other local, state, and/or federal agencies or entities that you may be required to report releases under other regulations (required if preparing an ICP that has additional reporting requirements) |

III: Spill Control and Cleanup Procedures Rule 6(1)(c)

Identify information about how the facility will control spills and conduct cleanups of releases:

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Inventory and location of spill control and clean-up equipment (type and quantity) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | a. Equipment available on-site <i>hydro vac trailer</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Equipment available off-site |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Procedures for response and cleanup |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Procedures for characterization and disposal of recovered materials |

IV: Polluting Material Inventory Rule 6(1)(d)

Include information about polluting materials typically on-site in quantities exceeding TMQs during the preceding 12 months:

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Polluting Material(s) by: |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Chemical Name(s), and |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Product Name (e.g. Trade Name(s)), and |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c. Chemical Abstracts Service (CAS) number |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Location where the Material Safety Data Sheets (MSDS) are kept for these polluting materials |

Special Use Permit Review for Marion Township Planning Commission

INTRODUCTION

Petition Number	SUP 01-24 Smith
Applicant	Christopher Smith
Request	Special use permit for a lawn and landscaping home-based business
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Number	10-16-200-019

PETITION SUMMARY

The applicant is requesting special use permit approval for a home-based business. The proposed use is a seasonal lawn and landscaping and snow removal business. Home-based businesses require special use permit approval in Rural Residential (RR) zoning districts.

Special use permit applications usually also require site plan review and approval. Home-based businesses may provide a less-formal site plan that shows: basic parcel information; existing and proposed structures; driveway, parking, and storage areas; proposed landscaping; and details of proposed additions or modifications. The Planning Commission and Township Board may require additional information during review.

A revised site plan, prepared by Boss Engineering, has been submitted. It shows the location of the hoop ban for salt storage and improved surfaces.

PROPERTY INFORMATION

Address	2718 Sexton
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Numbers	10-16-200-019
Lot Area	4.52 acres (<i>gross, includes right-of-way</i>)
Parcel Number	10-16-200-019
Frontage	~640 feet (<i>including southern and western front lot lines</i>)
Current Zoning	Rural Residential (RR)
Existing Uses	Single-family dwelling

Future Land Use
Map Low Density Residential

SPECIFIC USE STANDARDS

Specific standards for home-based businesses are outlined in §17.32 Home-based Businesses.

Home-based businesses are more intensive than home occupations and are recognized as an occupation, business, commercial activity, company, or profession conducted by family members living on the property. Home-based businesses may have non-resident employees, may store equipment or materials in a screened area, or have vehicles dedicated to the activity.

There are 16 site standards for home-based business, outlined in §17.32 Site Requirements (A-P). Those standards that have not been demonstrated as being met to the Planning Commission's satisfaction are examined below.

The nature and intensity of the proposed use would alter the essential character of the premises, especially yard areas used for storage of equipment and materials that are not adequately screened from adjacent residential properties or public streets.

Loading of equipment, repair of large equipment, and loading of materials would take place outdoors, sometimes beyond the hours of operation for a home-based business.

The proposed storage of more than 20 tons of salt in a structure without curbing does not appear to be consistent with Part 5 Rules. If the salt is not adequately contained, it could contaminate stormwater runoff.

The nature of the equipment and processes used on the site are likely to create noise, vibration, glare, fumes, or odors.

The proposed home-based business would be conducted in a manner that is likely to create a nuisance or annoyance to residents on the adjoining properties because of noise, smoke, odor, or lighting.

It appears likely that the proposed home-based business would have more than 1 non-resident employee, which is more than allowed for a home-based business on a property of this size.

The outdoor storage of equipment and materials would not be adequately screened from adjoining properties and streets.

The applicant stated he would conduct outdoor operations in the nighttime hours, if necessary to support the business.

The nature of traffic to the site, including trucks for delivery of more than 20 tons of salt and motor fuel, is likely to interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area.

DECISION CONSIDERATIONS

The special use permit process is outlined in Article XVI Special Use Permits.

Unlike other special use permit applications, home-based businesses do not require full site plans.

The Planning Commission reviews special use permits at a public hearing and makes a recommendation to the Township Board, which makes the final decision.

In order to approve a special use permit, all of the bases of determination must be found to be true. These bases are defined in §16.05 Basis of Determination and are explored below.

Based on information provided in the application, through research, and at public meetings, the Planning Commission was not satisfied that all of the bases of consideration for granting a special use permit were satisfied.

These bases are examined in the draft resolution.

Additional information may be discovered or provided at the Planning Commission meeting.

PETITION TIMELINE

The application was submitted to the Township on January 22, 2024.

The Planning Commission held a public hearing at its February 13, 2024, meeting, and postponed action for the applicant to provide additional information.

Revised application materials, including narrative and site plan, were submitted on March 19, 2024. A revised site plan was submitted on March 26, 2024.

The Planning Commission considered the special use permit at its March 26, 2024, meeting and, upon receiving affirmative evidence that all of the applicable criteria would be satisfied, appointed 2 members to prepare a draft resolution with the assistance of the Township attorney and planner, with action to take place at its April meeting.

The application will be considered by the Planning Commission at its April 30, 2024, meeting.

Following a recommendation from the Planning Commission, the application will be forwarded to the Township Board for final action.

SUMMARY

The Planning Commission should review the draft resolution that was prepared for its consideration and make any necessary changes to ensure it is consistent with its findings.

For special use permits, the Planning Commission provides a recommendation to the Township Board. The Township Board is the deciding authority.

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
April 22, 2024

We look forward to helping facilitate this process at the meeting.

Zach Michels
Quality Zoning
Dexter, MI



Livingston County Drain Commissioners Office
Soil Erosion and Sedimentation Control (SESC) Division

Under the Provisions of Part 91 of Act 451 as Amended, and the Livingston County SESC Ordinance
 2300 E. Grand River, Suite. 105, Howell, MI 48843-7580
 Phone: 517.546.0040 www.livgov.com/drain

Residential SESC Permit PSER2023-00513

Issued By:
 Rod Soos

Signature: *Rod Soos*

Issued: 08/04/2023
 Expires: 08/03/2025

SITE ADDRESS	OWNER	CONTRACTOR
10-16-200-019 Lot: 2718 SEXTON RD HOWELL MI 48843 Township: Marion Township	SMITH CHRISTOPHER MICHAEL 2718 SEXTON RD HOWELL MI 48843 Phone: (517) 375 0358	SMITH CHRISTOPHER MICHAEL 2718 SEXTON RD HOWELL MI 48843 Phone: (517) 375 0358

INSPECTED BY:	Rod Soos
REVIEWED BY:	Rod Soos
RESPONSIBLE PERSON:	Chris Smith, 517-375-0358, csmith02777@gmail.com

PROJECT DESCRIPTION & SPECIFIC CONDITIONS:

Filling, Grading and Land Balancing

Initiation of any work on this site confirms that all parties listed above accept & agree to comply with all terms & conditions of this permit.

PERMIT CONDITIONS:

- * The Permittees are the Owner, Applicant, Contractor, and Responsible Person listed on the application and permit.
- * The permitted activity shall be completed in accordance with the approved plans and specifications, and the included general & site specific conditions. The Permittees have agreed to comply with all applicable rules & regulations of Livingston County and to do no work not specifically covered by this permit. The holder of this permit is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- * In issuing this permit, the Livingston County Drain Commissioners (LCDC) office has relied on the information which the applicant has provided with the permit application. If, subsequent to the issuance of this permit, such information proves to be false, incomplete, or inaccurate, the LCDC SESC staff may modify, revoke, or suspend the permit, in whole or in part, & may subject the permit holder to criminal and/or civil action as cited by the specific State Act, Federal Act and/or Rule, or LCDC Ordinance under which this permit is granted.
- * This permit does not waive the necessity for obtaining all other required federal, state, or local permits.
- * Periodic inspections will be made until project closure. Failed inspections will require a re-inspection for which a fee is assessed. The Permittees are responsible for all site activity & the installation and maintenance of all SESC measures. If site conditions change due to construction activity, it is Permittees responsibility to install any controls required to maintain compliance.
- * The Permittees are required to permanently re-stabilize the site prior to the expiration of this permit. The Permittees shall notify this office within one week after completing the permitted activity to request the REQUIRED FINAL INSPECTION. A re-inspection fee will be assessed if the site is not permanently stabilized at the time of inspection. If the permittee is unable to complete the permitted activity & permanently re-stabilize the site prior to the expiration of the permit, they will be required to obtain a new permit a minimum of one week prior to the expiration date of this permit. Permits cannot be extended.

GENERAL CONDITIONS:

In accordance with Rule 1709 promulgated under the authority of Part 91, Soil Erosion and Sediment Control, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, and in addition to the information on the application with attached plan(s) and special conditions, the following conditions apply to the earth change authorized by this permit:

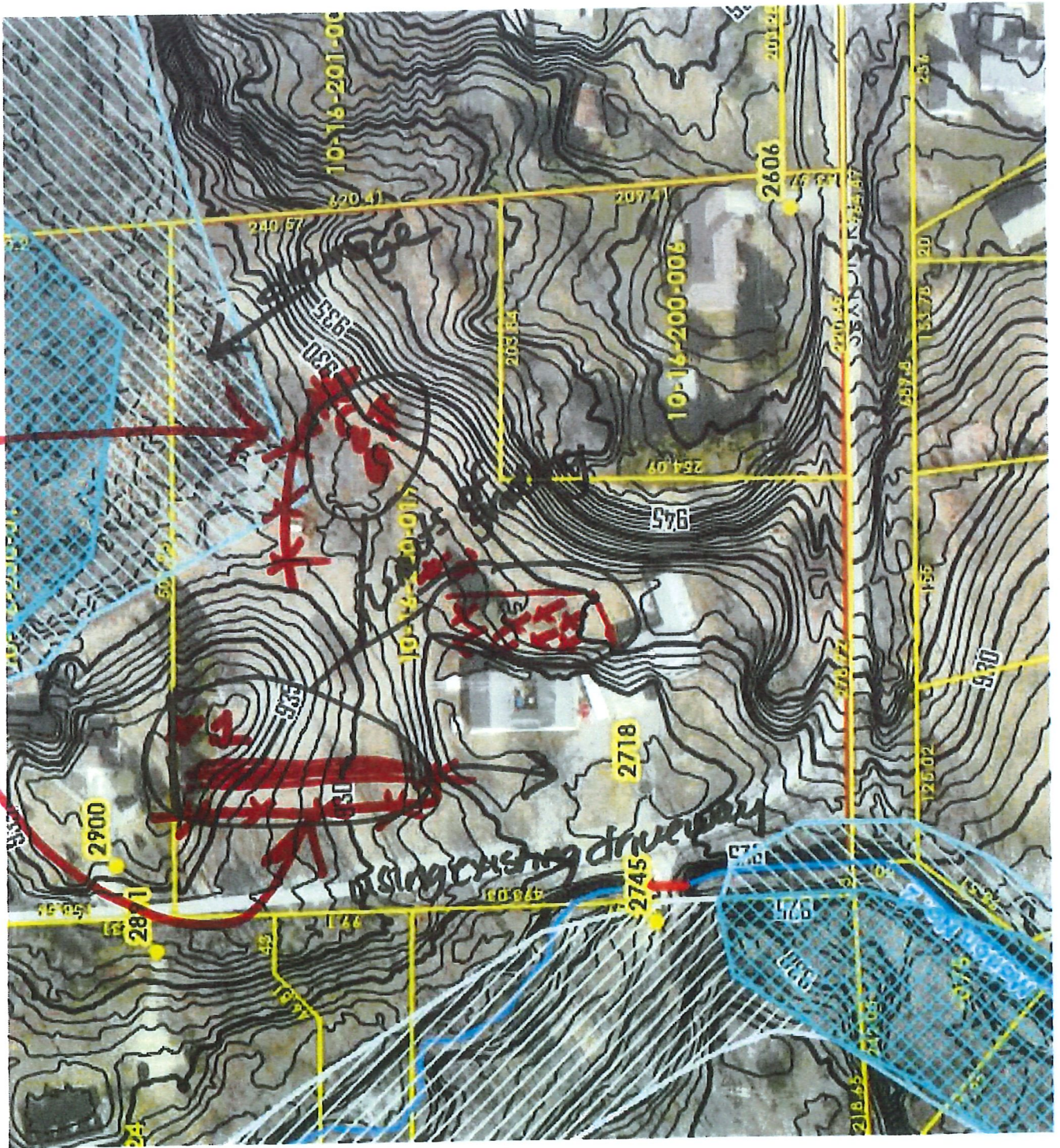
- * Design, construct and complete the earth change in a manner that limits the exposed area of disturbed land for the shortest period of time.
- * Remove sediment caused by accelerated soil erosion from runoff water before it leaves the site of the earth change.
- * Temporary or permanent SESC measures shall be designed and installed to convey water around, through, or from the earth change at a non-erosive velocity.
- * Install temporary SESC measures before or upon commencement of the earth change activity & maintain the measures on a daily basis. Remove temporary SESC measures after permanent SESC measures are in place & the area is stabilized. ("Stabilized" means the establishment of vegetation or the proper placement, grading, or covering of soil to ensure its resistance to soil erosion, sliding, or other earth movement.)
- * Complete permanent SESC measures for the earth change within five calendar days after final grading or upon completion of the final earth change. If it is not possible to permanently stabilize the earth change, then maintain temporary SESC measures until permanent SESC measures are in place and the area is re-stabilized.

**THIS PERMIT MUST BE POSTED AT THE FRONT OF THE SITE AND CLEARLY VISIBLE
 A COPY OF THIS PERMIT & PLAN ARE TO BE KEPT AT THE JOB SITE AT ALL TIMES UNTIL THE PROJECT IS CLOSED**

- #1 landscape berm
- #2 Level area for usable space
- #3 stockpile

SESC Review Complete

SILT FENCE





Livingston County Drain Commissioners Office

Soil Erosion and Sedimentation Control (SESC) Division

Under the Provisions of Part 91 of Act 451 as Amended,
and the Livingston County SESC Ordinance

2300 E. Grand River Ave., Suite 105, Howell, MI 48843
Phone: 517-546-0040 Website: www.livgov.com/drain E-mail: drain@livgov.com

Supplemental Site Plan/ SESC Measure Document

Site Address: 2718 SEXTON RD

Owner: SMITH CHRISTOPHER MICHAEL

Permit Number: PSER2023-00513

Legal Description: SEC 16 T2N R4E BEG W 1331.52 FT & S 836 FT FROM NE COR, TH S1*30'28"E 482.68 FT E'LY
ALG C/L SEXTON RD 302.11 FT, TH N 242 FT, TH N89*57'40"E 200 FT, TH N02*13'36"W 240.16 FT TH S89*57'40'W
505.48 FT TO POB. 4.5 AC M/L

Soils information:

Permanent SESC Measures: Seed & Mulch

SESC Maintenance Program: Regular Lawn Maintenance and Landscaping

Performed by: SMITH CHRISTOPHER MICHAEL

Supplemental Page to Site Plan

REQUIRED TIMING AND SEQUENCE OF EVENTS FOR RESIDENTIAL PROJECTS

Year 2023	Month – 01 (Jan, 02 (Feb) etc...											
Construction Sequence	01	02	03	04	05	06	07	08	09	10	11	12
Temporary SESC Measures												
Rough Grading/Strip/Stockpile							X	X	X	X	X	X
Building Construction												
Road or Driveway Install/ Utilities									X	X	X	X
Final Grade												
Permanent SESC Measures												
Building Demolition												
Landscaping												

Year 2024	Month – 01 (Jan, 02 (Feb) etc...											
Construction Sequence	01	02	03	04	05	06	07	08	09	10	11	12
Temporary SESC Measures												
Rough Grading/Strip/Stockpile												
Building Construction												
Road or Driveway Install/ Utilities												
Final Grade												
Permanent SESC Measures												
Building Demolition												
Landscaping			X	X	X	X						

SEE EXAMPLE BELOW. In this example the Build Project begins in August and ends in June the following year. Only fill in lines required for the project.

Year – CURRENT YEAR	Month – 01 (Jan, 02 (Feb) etc...												
Construction Sequence	01	02	03	04	05	06	07	08	09	10	11	12	
Temporary SESC Measures – All months soil erosion control will be required									X	X	X	X	X
Rough Grading/Strip/Stockpile – Month(s) of initial grading work									X	X			
Building Construction – Expected Actual Building Construction											X	X	X
Road or Driveway Install/ Utilities – Month(s) of expected Drive/Utility Installation									X				
Final Grade													
Permanent SESC Measures													
Building Demolition													
Landscaping													
Year – NEXT YEAR	Month – 01 (Jan, 02 (Feb) etc...												
Construction Sequence	01	02	03	04	05	06	07	08	09	10	11	12	
Temporary SESC Measures	X	X	X	X	X	X							
Rough Grading/Strip/Stockpile													
Building Construction	X	X	X	X	X								
Road or Driveway Install/ Utilities													
Final Grade – Month(s) of expected Final Grade					X	X							
Permanent SESC Measures – Expected date of Permanent SESC Measures (ie: Grass etc..)						X	X	X	X	X			
Building Demolition – NA if not applicable or month demo will happen				NA									
Landscaping – Expected time frame for Final Landscaping							X	X					



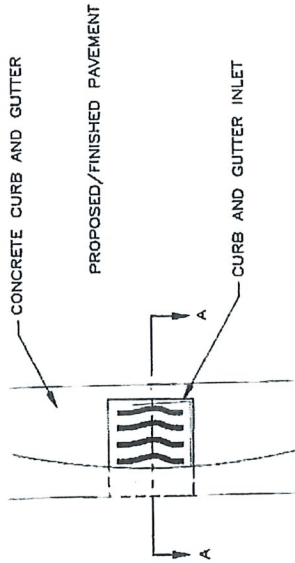
Livingston County Drain Commissioners Office
Soil Erosion and Sedimentation Control (SESC) Division

Installation Instructions

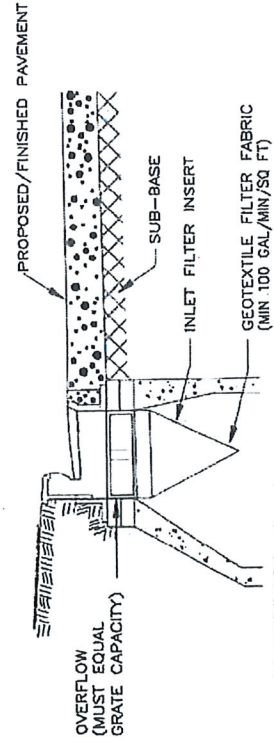
SILT SACK OR APPROVED EQUAL CURB AND GUTTER INLET FILTER

STANDARD CONTROL YEAR ROUND OR WINTER USE

APPROVED FOR USE DURING WINTER MONTHS OR IN AREAS THAT MAY BECOME A SAFETY HAZARD DUE TO FLOODING OR FREEZING

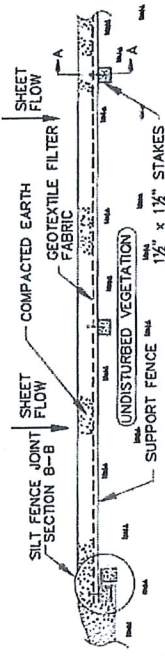


PLAN VIEW

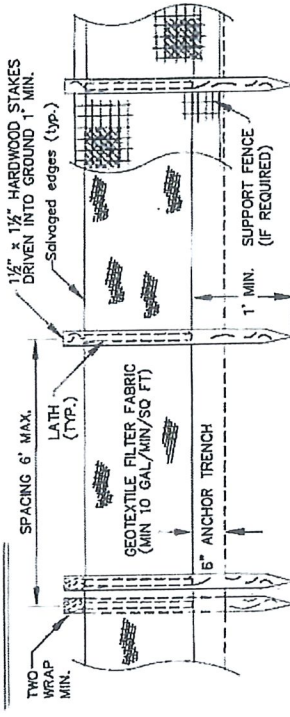


SECTION A-A

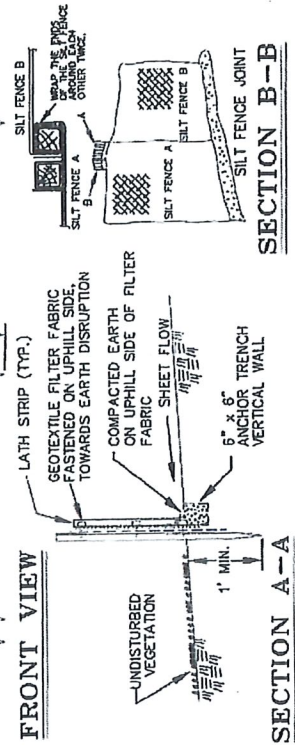
36" SILT FENCE STANDARD CONTROL



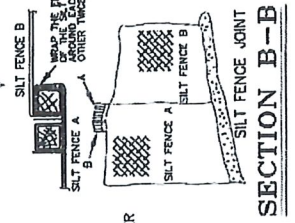
PLAN VIEW



FRONT VIEW



SECTION A-A



SECTION B-B

Date: 7/20/23 A/M/SFW/TMW/RTI Major/Minor Permit #20 23-00512



Livingston County Drain Commissioners Office Soil Erosion and Sedimentation Control (SESC) Division

Under the Provisions of Part 91 of Act 451 as Amended,
and the Livingston County SESC Ordinance

2300 E. Grand River Ave., Suite 105, Howell, MI 48843
Phone: 517-546-0040 Website: www.livgov.com/drain E-mail: drain@livgov.com

In accordance with Part 91 of Act 451 as Amended and its corresponding General Rules, and the Livingston County SESC Ordinance, the undersigned herewith makes application for a **RESIDENTIAL** Soil Erosion and Sedimentation Control (SESC) Permit for the following:

Please fill out ALL sections of this permit application or it will not be considered valid.
FEES are due upon application. All fees are non-refundable.

REQUIRED ITEMS TO BE SUBMITTED WITH THIS APPLICATION:

A SITE PLAN indicating all required items listed on the sample site plan.
A LAND USE PERMIT from the local municipality (Township/City/Village) if they issue them.

1. SITE LOCATION:

Address of Site: 2718 Sexton rd Parcel/Lot # _____
Subdivision Name: _____
Township: Marion Tax ID Number of Parcel: 47 - - - - -

2. OWNER (Required) Check all that apply: APPLICANT CONTRACTOR

Name: Christopher Smith Phone: 517-375-0358
Company: _____
Cell Phone: _____ Email: CSmith02777@gmail.com
Address: 2718 Sexton rd City: Howell State: MI Zip: 48843

3. CONTRACTOR (If different from OWNER.) Check all that apply: APPLICANT DESIGNATED AGENT* *(A designated agent must attach a designated agent authorization form to this permit. Authorization form must be completely filled out and include notarized or original signatures from the landowner and agent.)

Company Name: _____ Contact Name: _____
Phone: _____ Email: _____
Address: _____ City: _____ State: _____ Zip: _____

4. RESPONSIBLE PERSON - Individual on site who is responsible for SESC MEASURES, SITE ACTIVITY AND COMPLIANCE (must be either the property owner or a representative of the contractor, not a company name or 3rd party individual):

Chris Smith Connection (check one): Owner Contractor
(Print Name)
Phone: _____ Cell Phone: 517-375-0358 Email: CSmith02777@gmail.com

5. IS RESPONSIBLE PERSON LIABLE FOR ALL VIOLATIONS AND FEES? (If no - list who is below)

N/A (If Contractor & Owner are the same)
 Yes No _____
Name Email if not above
OWNER'S INITIALS: _____ CONTRACTOR'S INITIALS: _____

***APPLICATION WILL BE REJECTED IF THIS SECTION IS NOT COMPLETED**

6. Type of Residential Construction (please check): House w/ Attached Garage House Only Addition
 Attached Garage Only Detached Garage Pond Pole Barn/Barn Pool (In-ground OR Above-ground)
 Filling, Grading or Land Balancing Operation Other _____

7. A) Area in Square Feet of Proposed Improvement (footprint of the building) _____ Sq. ft.

B) Area in Square Feet of entire Disturbed Area (this includes [A] above) 5000 Sq. ft.

8. When will the project take place? Begin: Month 6-1-23 Year _____ Completion: Month 12-1-24 Year _____

9. When will the project be re-stabilized with vegetation? Month 7 Year 24

10. Proposed final stabilization method: Sod Seed & Mulch Hydro-seed

(Please Note: Hydro-seed is acceptable ONLY on slopes of less than 1%)

or Other, please specify: _____

11. Soil Type Information: Clay Clay loam Fill Gravel Sand Sandy Clay

Sandy loam Silt Silty clay Topsoil Other: _____

(Information from the Environmental Health Dept. Perk Test or USDA Soil Survey, if available. If not, list soil type[s] as you know them.)

12. A) Will any "fill" material be brought onto the site? No Yes - Cubic Yards _____

B) Will any earth be removed from the site? No Yes

If yes, where is the material being taken: _____

And does that site have an active SESC permit (unless being taken to a gravel pit or landscaping stockyard) that is

required for fill placement? No Yes - permit number: # _____ (if known)

13. SESC MEASURES REQUEST FOR WAIVER OR SUBSTITUTE:

> 36" Silt fence
o Reason for Waiver Request: _____
o Substitute: _____ Reason: _____

> Coarse aggregate (min. 1"x3") tracking mat (min 12' wide x 50' long)
o Reason for Waiver Request: _____
o Substitute: _____ Reason: _____

14. SESC measures will need to be installed to protect: (Check all that apply.)

Lake Stream River Pond Wetland/Swamp County Drain Paved Street

Other (name) _____

15. Distance to nearest body of water/wetland (ft.): 200

16. Does this project require a Permit from Department of Environment, Great Lakes & Energy? No Yes

If Yes, please note the EGLE Permit #: _____

ORIGINAL SIGNATURES FROM APPLICANT AND OWNER ARE REQUIRED

I have completed this permit application and I hereby certify that all of the information submitted as part of this application is accurate to the best of my knowledge. I have read, understand, and accept the terms, conditions, and requirements included with this application and of the LCDC SESC program. I hereby agree to conform to all applicable laws of the State of Michigan, and I understand my responsibilities under Part 91 of Act 451 and the Livingston County SESC Ordinance.

As their designated agent "DA", I hereby certify that the proposed work is authorized by the owner of record & that I have been authorized by the owner to make this application. **REQUIRES SIGNED "DA" FORM**

Landowner's /Designated Agent/ Easement Owner's Name

Name (Print): Chris Smith

Signature: _____

Applicant

Name (Print): _____

Signature: _____

Same as Above

MARION TOWNSHIP
2877 W. Coon Lake Road
Howell, MI 48843
(517) 546-1588

LAND USE WAIVER

Parcel Number:	<u>4710-16-200-019</u>
Name:	<u>Chris Smith</u>
Address:	<u>2718 Sexton</u>
Use/Activity:	<u>Excavation</u>

Marion Township issues land use permits through the office of the zoning administrator when the activity being requested falls within the scope of the zoning ordinance.

The above use/activity is not regulated by the zoning ordinance; therefore, a land use permit is not required.

Any proposed grading shall be reviewed and approved by the Livingston County Drain Commissioner Office prior to commencing work.

If application is for a finished basement, please complete the following section:

Square footage or percentage finished _____

Please indicate if the basement has or will have any of the following:

- Bathroom
- Fireplace—gas
- Fireplace—wood burning
- Kitchen
- Wet bar

Chris Smith 7-20-23
Applicant's signature Date

This waiver is issued only for the use/activity described above.

[Signature]
Zoning Department

7-20-2023
Date

Dave Hamann

From: Dave Hamann <za@mariontownship.com>
Sent: Tuesday, April 2, 2024 9:07 AM
To: 'Timberline outdoor services'
Subject: RE: So sorry

With the rain I think they can wait until weather is better.

From: Timberline outdoor services <csmith02777@gmail.com>
Sent: Monday, April 1, 2024 6:00 PM
To: Dave Hamann <za@mariontownship.com>
Subject: Re: So sorry

That was Chris messaging above please make an appointment so one of us can be there.

On Fri, Mar 29, 2024 at 5:50 PM Timberline outdoor services <csmith02777@gmail.com> wrote:

Anything you 2 want to stop by is fine by me. I may or may not be here by you're welcome to conduct any investigation you think necessary. Thank you for your help

On Thu, Mar 28, 2024, 11:32 AM Timberline outdoor services <csmith02777@gmail.com> wrote:

Let me talk with Chris. I walked it yesterday and really don't see why they are complaining so bad. He has quite a bit of property, now that it is all staked you can really see it all. I can't even see the one ladies deck from his property, and I know after all the leaves fill it sight lines will be minimum.

My mom is in real estate and I know your property's price is sold by comps in the area not because of a neighbor.

And noise shouldn't be an issue, now that my Uncle quit 😏 he was the big mouth lol. So he is down to three guys and I know that Rain maker has a larger crew. So this is crazy!

On Thu, Mar 28, 2024 at 11:07 AM Dave Hamann <za@mariontownship.com> wrote:

I would guess that the salt issue was turned into something more then it is and those two are really involved in that stuff. It's like when someone tries to be helpful but is not authorize by regulatory responsibility but gives an opinion. Got a request for you both. Supervisor would like to come with me to visit and walk the property to get a better idea of neighbors complaints even though they should not steer the PC recommendation nor BOT decision.

Let me know if you both would be ok and when!

Dave...

From: Timberline outdoor services <csmith02777@gmail.com>
Sent: Wednesday, March 27, 2024 5:05 PM
To: Dave Hamann <za@mariontownship.com>
Subject: Re: So sorry

Dave Hamann

From: Heather Blair <HBlair@livgov.com>
Sent: Thursday, March 28, 2024 4:24 PM
To: za@mariontownship.com
Subject: EGLE Contact

Hi Dave,

Here is the message I received from Kevin regarding the requirements for salt storage. Hope this is helpful. Let me know if you need anything else.

Hi, Heather.

There is not a permit but facilities storing solid salt in excess of 5 tons or liquid salt in excess of 1,000 gal would be subject to the Part 5 Rules and would need to properly store the material and maintain a Pollution Incident Prevention Plan (PIPP) in accordance with the rules.

Feel free to pass my contact information on to your township representative. I would be happy to discuss it further with them.

Thanks!

Kevin W. Bott
Environmental Quality Analyst
Water Resources Division, Lansing District Office
Michigan Department of Environment, Great Lakes and Energy
517-230-2624
BottK@michigan.gov
Follow Us: www.Michigan.gov/EGLE



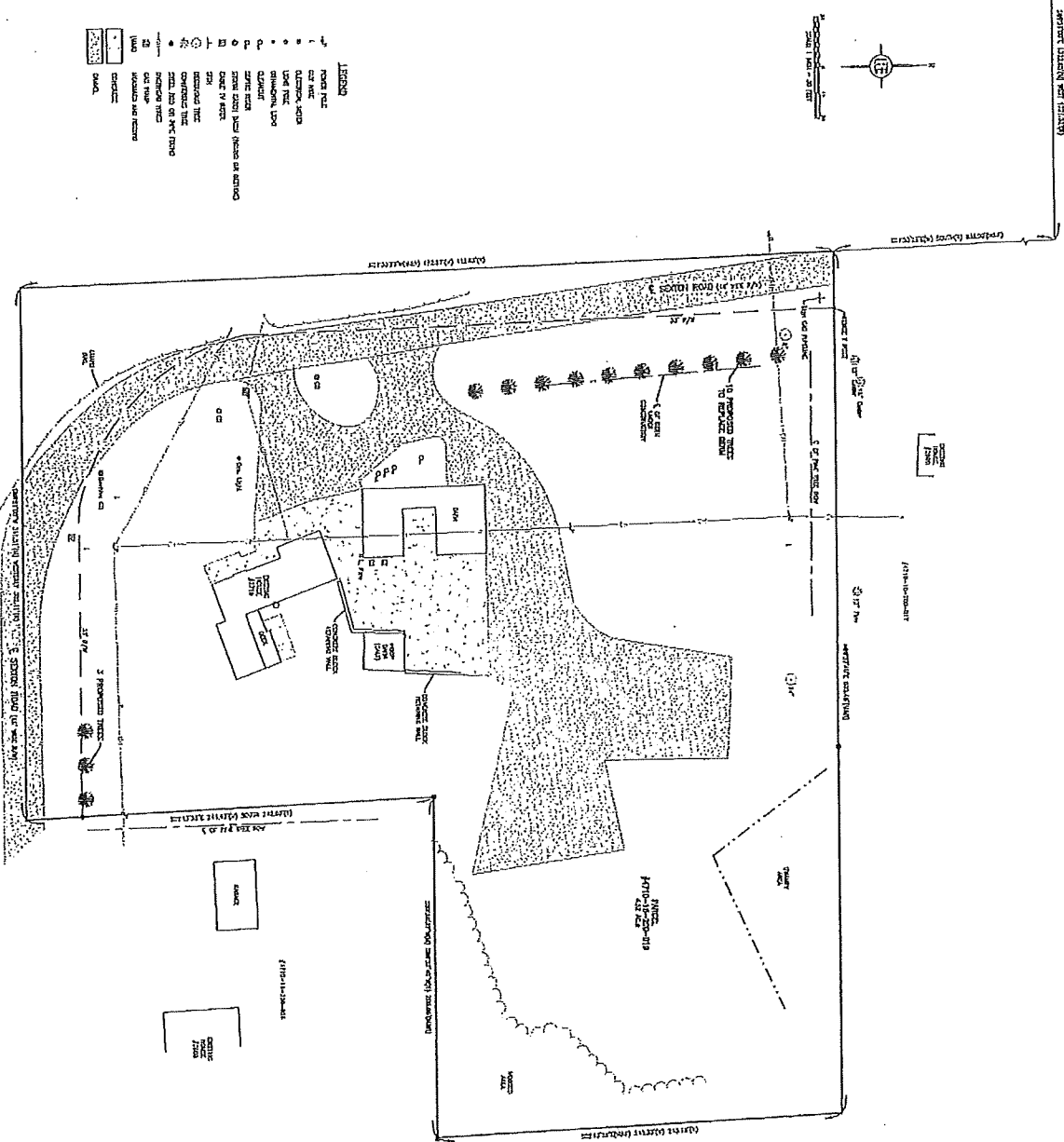
For pollution emergencies: Pollution Emergency Alerting System (PEAS) 1-800-292-4706

Heather Blair MS, PEM, REHS
Director of Environmental Health/Deputy Health Officer
Livingston County Health Department
2300 East Grand River Ave., Suite 102
Howell, MI. 48843-7578
P: 517-552-6810
F: 517-546-9853
Website: www.LCHD.org

LIVINGSTON COUNTY 
Health Department  

DATE: 11/11/03
 DRAWN BY: JMS
 CHECKED BY: JMS

PILOT PLAN



- LEGEND**
- 1. Proposed Building
 - 2. Existing Building
 - 3. Proposed Parking
 - 4. Existing Parking
 - 5. Proposed Driveway
 - 6. Existing Driveway
 - 7. Proposed Sidewalk
 - 8. Existing Sidewalk
 - 9. Proposed Landscape
 - 10. Existing Landscape
 - 11. Proposed Utility
 - 12. Existing Utility
 - 13. Proposed Fencing
 - 14. Existing Fencing
 - 15. Proposed Signage
 - 16. Existing Signage
 - 17. Proposed Other
 - 18. Existing Other

PROPERTY INFORMATION: THE PROPERTY IS LOCATED AT 2716 SEKTON ROAD, NEWELL, MISSISSIPPI. THE PROPERTY IS CURRENTLY ZONED R-1. THE PROPERTY IS OWNED BY CHRIS SMITH. THE PROPERTY IS BEING DEVELOPED FOR RESIDENTIAL USE. THE DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE MISSISSIPPI DEPARTMENT OF REVENUE AND THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION AND CONSTRUCTION.

- NOTES:**
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL BEARINGS ARE IN DEGREES, MINUTES, AND SECONDS.
 3. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE DRIVEWAY OR SIDEWALK.
 4. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
 5. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE PROPERTY.
 6. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT PROPERTY.
 7. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT ROAD.
 8. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT DRIVEWAY.
 9. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT SIDEWALK.
 10. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT LANDSCAPE.
 11. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT UTILITY.
 12. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT FENCING.
 13. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT SIGNAGE.
 14. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ADJACENT OTHER.

PROJECT:	2716 SEKTON ROAD
PREPARED BY:	CHRIS SMITH 3111 SCLIFOR ROAD HOTEL, MOBILE 36684 317-472-4111
DATE:	11-11-03
TITLE:	PILOT PLAN
DESIGNED BY:	
CHECKED BY:	
DATE:	
SCALE:	1" = 30'
JOB NO.:	24-044
DATE:	2-28-03
SCALE:	
DATE:	

BOSS Engineering
 3121 E. GRAND RIVER AVE.
 NEWELL, MS 38843
 517.546.4835 FAX 517.548.1670



THIS PLAN IS THE PROPERTY OF BOSS ENGINEERING. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BOSS ENGINEERING.

Special Use Permit Review for Marion Township Planning Commission

INTRODUCTION

Petition Number	SUP 01-24 Smith
Applicant	Christopher Smith
Request	Special use permit for a lawn and landscaping home-based business
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Number	10-16-200-019

PETITION SUMMARY

The applicant is requesting special use permit approval for a home-based business. The proposed use is a seasonal lawn and landscaping business and snow removal business. Home-based businesses require special use permit approval in Rural Residential (RR) zoning districts.

According to information provided by the applicant, the home-based business will:

- store equipment in accessory buildings
- not alter the character of the existing single-family dwelling
- make limited use of chemicals, in compliance with state and federal regulations
- dispose of oil and antifreeze at Livingston County Waste Collection sites
- not use radioactive, medical, or biomedical chemicals or materials
- not generate noise disturbances, fumes, glares, or electrical fluctuations
- only have 1 non-resident employee on site, with other employees only visiting to collect or return equipment
- install evergreen screening along Sexton
- not have signage
- not have any business visitors or customers
- have less than 12 business-related trips/deliveries in a day
- not require additional parking
- use 4 trucks
- provide lawn and landscape maintenance services off-site from April through November from 8:00 am through 6:00 pm

- provide 'winter operations' between November and February, with unspecified hours

Special use permit applications usually also require site plan review and approval. Home-based businesses may provide a less-formal site plan that shows: basic parcel information; existing and proposed structures; driveway, parking, and storage areas; proposed landscaping; and details of proposed additions or modifications. The Planning Commission and Township Board may require additional information during review.

A revised site plan, prepared by Boss Engineering, has been submitted. It shows the location of the hoop barn for salt storage and improved surfaces.

PROPERTY INFORMATION

Address	2718 Sexton
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Numbers	10-16-200-019
Lot Area	4.52 acres (<i>gross, includes right-of-way</i>)
Parcel Number	10-16-200-019
Frontage	~640 feet (<i>including southern and western front lot lines</i>)
Current Zoning	Rural Residential (RR)
Existing Uses	Single-family dwelling
Future Land Use Map	Low Density Residential

SPECIFIC USE STANDARDS

Specific standards for home-based businesses are outlined in §17.32 Home-based Businesses.

Home-based businesses are more intensive than home occupations and are recognized as an occupation, business, commercial activity, company, or profession conducted by family members living on the property. Home-based businesses may have non-resident employees, may store equipment or materials in a screened area, or have vehicles dedicated to the activity.

There are 16 site standards for home-based business, outlined in §17.32 Site Requirements (A-P). Those standards requiring closer attention are examined below.

The application states all activities will be performed indoors, except for loading equipment.

Some chemicals will be used as part of the home-based business. The applicant has provided a pollution incident prevention plan that addresses storage of salt, gasoline,

and diesel. The pollution incident prevention plan states that the drains in the salt storage building are blocked and the fuel storage has a secondary containment system with leak detection.

Home-based occupations on parcels with a lot area of up to 6 acres can have a maximum of 1 non-resident employee. Additional non-resident employees may be permitted by the Township if the operator presents clear and convincing evidence that 1) additional non-resident employees will not impact the surrounding single-family residential use and surrounding area and 2) non-resident employees are limited to visiting the premises to drop off or pick up equipment. The application states that there are more than 1 non-resident employees, but that only 1 non-resident employee will visit the site to pick up a truck.

Outdoor storage of materials or equipment must be screened from adjacent roads and properties. The application states that 10 evergreens will be planted along the western road right-of-way and 3 evergreens will be planted along the southern right-of-way. Additional screening is not proposed along adjacent property lines. It appears additional screening, whether fencing or plantings, may be necessary in order to ensure the outdoor activities are fully screened.

The application proposes limiting hours of operation to 8:00 am through 6:00 pm, March through November. This is consistent with permitted hours of operation. Hours of operation during the winter operations season are not specified. The applicant should confirm that operations will not take place outside of the proposed or permitted hours, as doing so could result in revocation of the special use permit.

It appears most of the other site standards for a home-based business are satisfied or could be satisfied.

There are 4 performance standards for home-based businesses, primarily focused on application materials and review processes. Those standards requiring closer attention are examined below.

The site plan does not show the rights-of-way, utility easements, dimensions of structures, or setbacks. That information should be added.

The application states that there will be 4 vehicles for the home-based business. This should be confirmed. If additional vehicles are anticipated in the future, it could require a new special use permit review and approval for the modification.

Approval of the special use permit for the home-based business should be in the form of a resolution, similar to a zoning map amendment resolution, to clearly document the findings and conditions of approval.

DECISION CONSIDERATIONS

The special use permit process is outlined in Article XVI Special Use Permits.

Unlike other special use permit applications, home-based businesses do not require full site plans.

The Planning Commission reviews special use permits at a public hearing and makes a recommendation to the Township Board, which makes the final decision.

In order to approve a special use permit, all of the bases of determination must be found to be true. These bases are defined in §16.05 Basis of Determination and are explored below.

The comments below are based on information provided in the application and through research. Additional information may be discovered or provided at the Planning Commission meeting.

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

Home-based businesses are consistent with the general principles and objectives of the Master Plan, provided they do not create negative impacts on surrounding properties. It appears that additional screening may be necessary to reduce some impacts of the proposed home-based business.

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

Additional screening between the rear yard and Sexton and the adjacent properties may be necessary to maintain consistency with the character and be harmonious with the surrounding area.

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

The pollution incident prevention plan addresses concerns related to hazardous activities. The applicant should provide updated plans with the Township and contact Livingston County and State officials to make the plan available. Conditions limiting the hours of operation should be included in the approval to mitigate disturbances to surrounding single-family residential uses.

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

It appears likely that the proposed home-based business will be adequately served by essential public facilities and services.

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

It does not appear that the proposed home-based business would be detrimental to nearby residents or properties if activities are conducted indoors and any outdoor equipment and material storage is properly located and screened. Additional screening may be necessary.

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

The proposed home-based business is a special use permit in the Rural Residential (RR) district. It may meet the specific standards if conditions are placed on the approval.

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

The application states that there is an open land balancing permit with Livingston County. It appears that significant portions of lawn to the west of the accessory building and in the rear yard have been improved to support the home-based business. Although not shown in the site plan, it appears up to a dozen mature trees have been removed.

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

It does not appear that there will be significant surface improvements that would increase stormwater runoff. Additional comment is deferred to the Township Engineer.

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

The applicant has stated that no additional exterior lights will be installed. It's not clear if exterior lighting has already been installed to support the home-based business. This should be confirmed by the applicant. Any exterior lighting on the site should be full cut-off and directed away from adjacent properties and the road.

10. Meet the site plan review requirements of Article XVIII. If the applicant chooses to submit a preliminary site plan, the special use permit may also be considered preliminary.

Home-based businesses do not need to meet the full site plan requirements of Article VIII, per §17.32 Performance Standards (A). The revised informal site plan that has been submitted includes most of the required information, but this report details some additional information that should be added (rights-of-way, utility easements, building dimensions).

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
March 24, 2024

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

This should be a condition of approval.

PETITION TIMELINE

The application was submitted to the Township on January 22, 2024.

The Planning Commission held a public hearing at its February 13, 2024, meeting, and postponed action for the applicant to provide additional information.

Revised application materials, including narrative and site plan, were submitted on March 19, 2024.

The application will be considered by the Planning Commission at its March 26, 2024, meeting.

Following a recommendation from the Planning Commission, the application will be forwarded to the Township Board for final action.

SUMMARY

The Planning Commission should review the information available and determine if the standards and criteria are satisfied or would be satisfied with conditions or direct the applicant to provide additional information.

A draft resolution has been prepared for the Planning Commission's consideration, to aid documentation of decision criteria and any desired conditions.

For special use permits, the Planning Commission provides a recommendation to the Township Board. The Township Board is the deciding authority.

We look forward to helping facilitate this process at the meeting.

Zach Michels
Quality Zoning
Dexter, MI

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

A Resolution to recommend DENIAL of an application submitted by Christopher Smith for a special use permit for a home-based business for property owned by Christopher Smith, located at 2718 Sexton, north and east of Sexton, Section 16 of Marion Township (10-16-200-019).

1. WHEREAS, Christopher Smith (*Applicant*) started operation of a landscaping and snow removal business at the site in 2023, without prior zoning approvals from Marion Township (*Township*) for that use; and
2. WHEREAS, Christopher Smith, following communication from the Township concerning the zoning violations, pursuant to the provisions of the Marion Township Zoning Ordinance (*Zoning Ordinance*), originally submitted his application for a special use permit for a home-based business on January 22, 2024; and
3. WHEREAS, the Applicant originally submitted a 1-page plot plan sketch for the home-based business on January 22, 2024; and
4. WHEREAS, the Planning Commission received a report from Zach Michels (*Township Planning Consultant/Quality Zoning*) dated February 5, 2024; and
5. WHEREAS, the Marion Township Planning Commission (*Planning Commission*), at its February 13, 2024, meeting, held a duly noticed public hearing for SUP 01-24 Smith and received public comment; and
6. WHEREAS, the Planning Commission voted to postpone action on the special use permit to allow the applicant an opportunity to provide additional information and materials; and
7. WHEREAS, the Applicant submitted an amended 1-page site plan on March 19, 2024, with a last revision date of March 18, 2024, a pollution incident prevention plan, and revised application answers; and
8. WHEREAS, the Applicant submitted an amended 1-page site plan on March 26, 2024, with a last revision date of March 26, 2024; and
9. WHEREAS, the Planning Commission has received a report from Zach Michels (*Township Planning Consultant/Quality Zoning*) dated March 24, 2024; and
10. WHEREAS, the Planning Commission having reviewed the revised materials and reports at its March 26, 2024, meeting, and received public comment, such as concerns about salt contamination of wells, sound, and appearance; and

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

11. WHEREAS, the Planning Commission, following discussion, determined that the proposed home-based business did not meet and would not meet with the conditions the applicable Zoning Ordinance standards for that use and for special use permits, and voted to appoint Planning Commission members to prepare a resolution recommending denial, to be presented at its April 30, 2024, meeting for action; and
12. WHEREAS, the appointed Planning Commission members and Township consultants met virtually on April 11, 2024, and April 19, 2024, to prepare and revise a draft resolution for the Planning Commission's consideration; and
13. WHEREAS, the Planning Commission having received a report from Zach Michels (*Township Planning Consultant/Quality Zoning*) dated April 22, 2024; and
14. WHEREAS, the Planning Commission having reviewed materials and reports at its April 30, 2024, meeting; and
15. WHEREAS, the property is located within the Rural Residential RR zoning district; and
16. WHEREAS, §8.01(E)(20) of the Zoning Ordinance designates "home-based businesses" as a use permitted by special use permit; and
17. WHEREAS, home-based businesses must meet the specific use standards of §17.32 Home-based Business of the Zoning Ordinance; and
18. WHEREAS, based on materials and testimony provided by the applicant and the applicant's agents, the Planning Commission finds the proposed use would not meet the standards of §17.32 Home-based Business because:
 - 18.1. Outdoor storage of materials and equipment related to the proposed home-based business would not be within an adequately screened area;
 - 18.2. Areas proposed for outdoor storage of materials and equipment related to the proposed home-based business would not be dedicated solely to materials and equipment related to the use;
 - 18.3. The scope, intensity, and nature of the proposed home-based business would result in a change to the essential character of the premises;
 - 18.4. Activities related to equipment and vehicle repair, cleaning, maintenance, etcetera related to the proposed home-based business would not be executed completely indoors;

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

- 18.5. Storage of a hazardous material for the proposed home-based business, more than 20 tons of salt, which is listed as a polluting material in Part 5 Rules- Spillage of Oil and Polluting Materials, would not be within a structure designed, constructed, or maintained consistent with Part 5 Rules to prevent stormwater runoff contamination from salt;
 - 18.6. Equipment or processes used for the proposed home-based business would likely create noise, vibration, or odors detectable to normal human senses off the subject site;
 - 18.7. The number and nature of vehicles associated with and the nature and number of trips to the site for the proposed home-based business are likely to create unreasonable traffic to and from the site;
 - 18.8. Exterior lighting already added to the site to support the proposed home-based business are likely to constitute a nuisance or annoyance to adjoining properties and the public street due to the type of light fixtures and the lack of screening;
 - 18.9. The current, unapproved use has had more than 1 non-resident employee, and the description of the proposed use makes it likely that the proposed home-based business would continue to have more than 1 non-resident employee visiting the premises;
 - 18.10. Outdoor storage of materials and equipment associated with the proposed home-based business would not be adequately screened by landscaping or other means from adjacent properties and dwellings or public streets and such screening would be exceedingly difficult if not impossible because of the configuration and topography of the site;
 - 18.11. Compelling evidence has not been submitted to the Planning Commission's satisfaction that the proposed home-based business would comply with all applicable federal, state, and/or local laws; and
 - 18.12. The proposed home-based business would include activities, such as outdoor activities, outside the permitted hours for a home-based business, as stated by the applicant at a public meeting; and
19. WHEREAS, the Planning Commission finds the intensity of the current and proposed landscaping and snow removal business is more consistent with a Contractor Storage Yard use because:
-

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

- 19.1. Number of employees of the business visiting and using the site;
 - 19.2. Number and size of equipment, such as bobcats, excavators, dump truck, trailers, trucks, snowplow equipment, salt spreaders, and woodchippers, that are kept outdoors on the site;
 - 19.3. Storage of more than 20 tons of salt on the site;
 - 19.4. Excessive noise generated by equipment and processes, including outdoor activities; and
 - 19.5. Hours of operation, as stated by the applicant at a public meeting, exceeded those permitted for home-based businesses; and
20. WHEREAS, Contractor Storage Yards are not a permitted special use permit in the Rural Residential RR zoning district; and
21. WHEREAS, the proposed home-based business will not be harmonious with and in accordance with the general principles and objectives of the Comprehensive Plan [Master Plan] of the Township, as required for special use permits, because:
- 21.1. The topography of the site, as the lowest elevation relative to surrounding properties, makes screening of the proposed use exceedingly difficult if not impossible;
 - 21.2. The configuration of the site with street frontage on both the south and west makes adequate screening of the proposed use exceedingly difficult if not impossible;
 - 21.3. The hours of operation for the proposed use, and noise generated to support that operation, exceed the hours permitted for home-based businesses and are not consistent with the existing and intended surrounding residential environment;
 - 21.4. The outdoor storage of heavy equipment, especially without adequate screening, is not consistent with the existing and intended surrounding residential environment;
 - 21.5. The bulk storage of salt is inconsistent with the existing surrounding residential environment and is in close vicinity to 3 stormwater drains, wetland areas, and the Red Cedar River;
 - 21.6. The bulk storage of fuel is not consistent with the existing surrounding residential environment and is in close vicinity to 3 stormwater drains, wetland areas, and the Red Cedar River; and
-

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

- 21.7. Outdoor loading activities, such as salt, equipment, and fuel, are not consistent with the existing and intended surrounding residential environment; and
22. WHEREAS, the proposed home-based business will not be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will change the essential character of the area in which it is proposed, which is prohibited for special use permits, because:
- 22.1. Plans submitted by the applicant do not provide adequate screening from adjacent existing or intended residential properties, dwellings, or public streets;
- 22.2. The hours of operation of the proposed use, and noise generated to support that operation, exceed the hours permitted for home-based businesses and are not consistent with the existing or intended surrounding residential character;
- 22.3. The storage of heavy equipment is not consistent with the existing or intended surrounding residential character;
- 22.4. The bulk storage of salt is not consistent with the existing or intended surrounding residential character and is in close vicinity to 3 stormwater drains, wetland areas, and the Red Cedar River;
- 22.5. The bulk storage of fuel is not consistent with the existing or intended surrounding residential character and is in close vicinity to 3 stormwater drains, wetland areas, and the Red Cedar River;
- 22.6. Outdoor loading activities, such as equipment, salt, and other materials is not consistent with the existing or intended surrounding residential character; and
- 22.7. Bulk delivery of more than 20 tons of salt and fuels is not consistent with the existing or intended surrounding residential character and is in close vicinity to 3 stormwater drains, wetland areas, and the Red Cedar River; and
23. WHEREAS, the proposed home-based business will be hazardous or disturbing to existing or future uses in the same general vicinity and will not substantially improve property in the immediate vicinity and in the community as a whole, which is prohibited for special use permits, because:
- 23.1. Plans submitted by the applicant do not provide adequate screening from existing or intended residential environment or public streets;
-

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

- 23.2. The hours of operation, and noise generated to support that operation, exceed the hours permitted for home-based businesses and are not consistent with the existing or intended surrounding residential environment;
 - 23.3. The storage of heavy equipment is not consistent with the existing or intended surrounding residential environment;
 - 23.4. The bulk storage of salt is not consistent with the existing or intended surrounding residential environment and is in close vicinity to 3 stormwater drains, wetland areas, and the Red Cedar River;
 - 23.5. The bulk storage of fuel is not consistent with the existing surrounding residential environment and is in close vicinity to 3 stormwater drains, wetland areas, and the Red Cedar River; and
 - 23.6. The lack of curbing for the bulk storage of more than 20 tons of salt to prevent stormwater contamination; and
24. WHEREAS, the proposed home-based business will not be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools, as required for special use permits, because:
- 24.1. The number and nature of trips generated by the proposed use is likely to have a negative impact on the unpaved street;
 - 24.2. The proposed use may require delivery of bulk salt during the frost/weight law period on an unpaved street;
 - 24.3. There is a lack of commercial-grade fire suppression for the bulk storage of fuel;
 - 24.4. The site is not serviced with stormwater sewage management structures; and
 - 24.5. The proposed use has not been reviewed by the Howell Area Fire Authority, Livingston County Road Commission, Livingston County Drain Commissioner, or police authorities for confirmation of adequate service; and
25. WHEREAS, the proposed home-based business will involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors, which is prohibited for special use permits, because:
-

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

- 25.1. The proposed use is likely to include activity, such as outdoor activities that generates noise, outside of the permitted hours for a home-based business;
 - 25.2. The proposed use will include outdoor loading of equipment and materials;
 - 25.3. The proposed use will include outdoor repair of equipment;
 - 25.4. The proposed use will generate noise substantially different from the existing residential area, such as the loading of equipment and materials, outdoor repair of equipment, and bulk salt and fuel delivery;
 - 25.5. The proposed use will include outdoor storage of vehicles and equipment without adequate screening;
 - 25.6. Salt storage/loading/deliveries; and
 - 25.7. Bulk fuel storage/loading/deliveries; and
26. WHEREAS, the proposed home-based business will not meet the intent and purpose of the zoning regulations; will not be related to the standards established in the Ordinance for the land use or activity under consideration; and will not be in compliance with these standards, as required for special use permits, because:
- 26.1. The proposed use does not meet the standards for a home-based business, as documented in this Resolution; and
 - 26.2. The intensity and nature of the proposed use is likely to have a negative impact on the existing surrounding residential neighborhood; and
27. WHEREAS, the home-based business will not ensure that landscaping will be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications, which result in maximum harmony with adjacent areas, as required for special use permits, because:
- 27.1. Existing mature trees have already been removed from the site and the plans do not propose any replacement trees; and
 - 27.2. Substantial topographic modifications have already taken place on the site while the business was already operating on the site without zoning approval; and
28. WHEREAS, the home-based business will not ensure that special attention will be given to proper site surface drainage so that removal of stormwaters will not adversely affect neighboring properties, as required for special use permits, because:

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

- 28.1. The site naturally drains to 3 stormwater drains, wetland areas, and the Red Cedar River;
 - 28.2. The submitted plans do not describe how stormwater will be managed or directed on the site or how the 3 existing stormwater drains will be impacted;
 - 28.3. The bulk storage of more than 20 tons of salt does not include curbing measures, which are necessary to provide containment; and
 - 28.4. There is not adequate stormwater management for the concrete pad or salt storage building that has been constructed; and
29. WHEREAS, the home-based business will not ensure that all exterior lighting will be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets, as required for special use permits, because:
- 29.1. Exterior lighting has been added to the site to support the proposed home-based business that is not shown on the submitted plans;
 - 29.2. The exterior lighting fixtures added to support the proposed home-based business are likely to create glare for adjacent existing residential properties and public streets; and
 - 29.3. The proposed landscaping, as shown in the submitted plans, does not provide adequate screening from vehicle headlights used by the proposed use from adjacent existing residential properties or adjacent public streets; and
30. WHEREAS, home-based businesses do not require formal site plan review and approval because:
- 30.1. §17.32 Home-based Business: Performance Standards allows for an informal site plan for review and recommendation by the Planning Commission rather than site plan review as outlined in Article XVIII Site Plan Review; and
31. WHEREAS, the home-based business will not conform to all applicable state and federal requirements for that use, as required for special use permits, because;
- 31.1. Although a Pollution Incident Prevention plan has been submitted, the applicant has not demonstrated to the Planning Commission's satisfaction that the proposed use will comply with all applicable state and/or federal requirements for the storage and use of hazardous materials;

MARION TOWNSHIP PLANNING COMMISSION

Resolution for a Special Use Permit for a Home-based Business

32. NOW, THEREFORE, BE IT RESOLVED, the Planning Commission, by a majority vote at a duly noticed, regular meeting, held this 30th day of April 2024, recommends DENIAL of the special use permit SUP-01-24 Smith, for property located at 2718 Sexton, between Ridgewood and Jewell, Section 16 of Marion Township, (10-16-200-019), to the Applicant, based on the findings documented in this Resolution; and
33. BE IT FURTHER RESOLVED, the Planning Commission directs the Zoning Administrator to forward this Resolution and application materials to the Township Board for review and action in accordance with the Zoning Ordinance.

Resolution offered by Planning Commissioner: Cheryl Range.

Resolution supported by Planning Commissioner: James L. Anderson, Jr..

YES: Larry Grunn James Anderson Cheryl Range

Robert Hanvey Bruce Powelson

NO: Larry Grunn James Anderson Cheryl Range

Robert Hanvey Bruce Powelson

ABSENT: Larry Grunn James Anderson Cheryl Range

Robert Hanvey Bruce Powelson

ABSTAIN: Larry Grunn James Anderson Cheryl Range

Robert Hanvey Bruce Powelson

The Chair declared the Resolution: ADOPTED

NOT ADOPTED

Date: 30 April 2024

Larry Grunn 5-2-24
Larry Grunn, Chair Date

Cheryl Range 5-2-24
Cheryl Range, Secretary Date

DRAFT

PARTIAL MINUTES FOR BOT MEETING
SEE HIGHLIGHTED SECTION

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
APRIL 30, 2024 / 7:30PM**

PC MEMBERS PRESENT:

**LARRY GRUNN – CHAIRPERSON
JIM ANDERSON – VICE-CHAIRPERSON
CHERYL RANGE – SECRETARY
BOB HANVEY
BRUCE POWELSON**

PC MEMBERS ABSENT:

NONE

OTHERS PRESENT:

**DAVID HAMANN – MARION TWP. ZONING ADMINISTRATOR
ZACH MICHELS – TOWNSHIP PLANNER
JOHN GORMLEY – TOWNSHIP ATTORNEY**

CALL TO ORDER

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

APPROVAL OF AGENDA

Cheryl Range made a motion to approve the April 30, 2024 agenda as amended. Jim Anderson seconded. **5-0 MOTION CARRIED**

APPROVAL OF MINUTES

Bruce Powelson made a motion to approve the February 13, 2024 Planning Commission minutes as amended. Jim Anderson seconded. **5-0 MOTION CARRIED**

UNFINISHED BUSINESS

SUP #01-24

Jim Anderson made a motion to take a ten-minute break to review the nine-page Resolution for Christopher Smith's Special Use Permit for a Home-based Business, that was prepared by Cheryl Range, Larry Grunn, Zach Michels (Twp. Planner) and John Gormley (Twp. Attorney). Bruce Powelson seconded.

Cheryl Range made a motion to recommend adoption of the written resolution (including the three changes) to deny Christopher Smith's Special Use Permit for a Home-based Business, to the Board of Trustees. Jim Anderson seconded.

Bob Hanvey explained that recently himself and Dave Hamann made a visit to Christopher Smith's property at 2718 Sexton Road. Bob stated that they spoke with Sara Smith and there seems to be mitigation possibilities that have not been explored yet. Bob would like to give the applicant an opportunity to respond to all of the concerns that have been mentioned. Bob said that it appears there are some egregious misunderstandings happening. For example, there are only three people using the salt being stored on the property. Christopher Smith's Home-Based Business also offers landscaping services, which does not involve being on site. Most of the complaints from the public seemed to be related to the construction process taking place in order to get the site ready for the use being requested. Bob explained that the person that was responsible for the yelling that was mention in a previous complaint is no longer with us. Bob stated that he is not in favor of voting yes for this resolution.

DRAFT

Cheryl Range stated that you don't know who they could hire in the future, that may cause a disturbance. Cheryl has several concerns about the salt run-off and it effecting our wells and the nearby wetlands. Cheryl shared that there are outside agencies that have verbally expressed the same concerns to her.

Bob Hanvey stated that he is not concerned about potential salt run-off because the salt storage area is surrounded by two large bricks that are each about one foot long and two feet tall.

Bob Hanvey believes that proper screening would be doable on this property.

Larry Grunn stated that there is a resolution on the table that was seconded and we need to do a roll call for that resolution.

**ROLL CALL: POWELSON YES; RANGE YES; HANVEY NO; GRUNN YES; ANDERSON YES.
4-1 MOTION CARRIED**

(PARTIAL) MINUTES TAKEN BY: Jessica S. Timberlake

DRAFT

tammybeal@mariontownship.com

From: Kyle Tokan <ktokan@howellrecreation.org>
Sent: Wednesday, April 24, 2024 1:07 PM
To: tammybeal@mariontownship.com
Subject: Property Maintenance Discussion
Attachments: Operations Check List - Oceola.pdf; Work order fee stucture.pdf; Operations Check List - Genoa.pdf

Hi Tammy,

I know the topic has been brought up at HAPRA board meetings over the last few months. Like I mentioned last week, Genoa and Oceola approved their agreements with us earlier this month. I am reaching out to see how serious of an interest Marion would be to also have an agreement. I know our involvement is a little different at your properties compared to Genoa and Oceola, but we are still there and could be there more depending what your need is. I will attach the checklists that I have for Genoa and Oceola so you have a baseline of what we are doing. Currently the routine items are \$1000 a month for those townships. There is also another additional document that goes into the fee structure for any non routine work requests.

Again, you can talk with your people and see how much of a need you are looking for and you and I can meet on location if that helps too. I would guess for your township it would be a more work order need then daily routine.

Based on what we do now for Marion with the disc golf course, I would think a once a week lap would be sufficient of the course. As part of the agreement, we would also eat the expense of trash bags and supplies to complete any tasks that we consider to be routine moving forward. Is there any other properties besides the main hall and the the park on Triangle Lake road that the township has activity on?

Based on what we do and creating a more formal list for Marion with playgrounds and other things, my thought on price would be \$500 a month. With the addition of the walking path and its needs that may come up, \$750 a month would be more realistic price for us once that becomes an amenity.

Let me know what you need from me moving forward. I know this will take time with your board to get passed if they are interested.

Thank you,

Kyle Tokan
Operations Manager
Howell Recreation
Office: 517-579-2865
Cell: 517-294-8898

Oceola Property Maintenance List (4706)	Completed		Week of 4/8/24
Monday			
Trash empty and replace (5)			
Dog stations empty and replace (3)			
Drive walking path			
Walk playgrounds/pavilions for trash			
Walk fields for trash			
Tuesday			
Trash empty and replace (5)			
Dog stations empty and replace (3)			
Drive walking path			
Walk playgrounds/pavilions for trash			
Walk fields for trash			
Wednesday			
Trash empty and replace (5)			
Dog stations empty and replace (3)			
Drive walking path			
Walk playgrounds/pavilions for trash			
Walk fields for trash			
Thursday			
Trash empty and replace (5)			
Dog stations empty and replace (3)			
Drive walking path			
Walk playgrounds/pavilions for trash			
Walk fields for trash			
Friday			
Trash empty and replace (5)			
Dog stations empty and replace (3)			
Drive walking path			
Walk playgrounds/pavilions for trash			
Walk fields for trash			
Weekly - (Twice a week detailed prop check)	1st	2nd	
Blow off hard surfaces (playgrounds, pavilions, buildings)			
Observation of playground			
Clear walking path of debris			
Check of Reading Trail stands			
Check of lending libraries (2)			
Clean up egg rock out of place			
Port a John check			
Monthly Tasks/Checks			
Weed Spraying (sidewalks, parking lots, walking path, ect)			
Sprinkler system			
Tree trimming when needed			
Power wash pavilion			
Reports			
Cell tower			
Supplies needed			
Problems			
Other observations			
Work orders completed			

Genoa Maintenance list	Completed		Week of
Monday			
Trash empty and replaced (9)			
Dog Stations empty and replaced (2)			
Walk fields daily during rentals			
Walk playgrounds/pavilions for trash			
Walk basketball courts for trash			
Tuesday			
Trash empty and replaced (9)			
Dog Stations empty and replaced (2)			
Walk fields daily during rentals			
Walk playgrounds/pavilions for trash			
Walk basketball courts for trash			
Wednesday			
Trash empty and replaced (9)			
Dog Stations empty and replaced (2)			
Walk fields daily during rentals			
Walk playgrounds/pavilions for trash			
Walk basketball courts for trash			
Thursday			
Trash empty and replaced (9)			
Dog Stations empty and replaced (2)			
Walk fields daily during rentals			
Walk playgrounds/pavilions for trash			
Walk basketball courts for trash			
Friday			
Trash empty and replaced (9)			
Dog Stations empty and replaced (2)			
Walk fields daily during rentals			
Walk playgrounds/pavilions for trash			
Walk basketball courts			
Weekly - (Twice a week detailed prop check)	1st	2nd	
Blow off hard surfaces (Playgrounds, pavilions, courts)			
Fix mulch at base of slides			
Observation of basketball courts			
Observation of playgrounds			
Drive walking path			
Check of the sled hill			
Observation of Property A			
Observation of Property B			
Monthly tasks/Checks			
Weed Spraying (Sidewalks, parking lots, courts, ect)			
Back netting by 96			
Lights			
Reports			
Supplies needed			
Problems			
Other observations			
Work orders completed			

Oceola Township – Howell Parks and Rec Property Maintenance Agreement

Exhibit C – Additional Work Orders

Additional work orders can be submitted via email to HAPRA Operations Manager

Billing breaks down as followed:

Hourly Rate for specific jobs/tasks (minimum of two hours)

- \$45/hour for a single body
- \$80/hour for two bodies
- Operations manager rate \$40/hour. Planning, administrative duties, meeting with contractors if needed.
- Includes tools and truck use that would be considered normal.
- Rented equipment or purchase of materials to complete projects would be billed out. Example, paint and brushes for the handrails.

MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: American Rescue Plan Act (ARPA) State and Local Fiscal
Recovery Funds (SLFRF) Annual compliance Report
Date: May 9, 2024

Attached to this memo is the Marion Township SLFRF Compliance Report for the period April 1, 2023 through March 31, 2024. This report is required by Treasury as part of our funding agreement.

Our total award was \$1,173,315.56 that we received in two payments. Our expenditures of those funds in the current period was \$620,001.08. That amount went entirely to Township hall improvements. The remaining amount is \$553,314.48.

The remaining amount should be spent between July 1, 2024 and December 31, 2024.

A likely use for the funds would be \$467,902 for the walking path and driveway paving.

That leaves \$85,412.48 that has not yet been allocated that we need to commit or spend before December 31, 2024.

SLFRF Compliance Report - MI4713 - P&E Report - 2024

Report Period : Annual March 2024

Recipient Profile

Recipient Information

Recipient UEI	LXMLG2K45851
Recipient TIN	386059325
Recipient Legal Entity Name	Marion Township, MI
Recipient Type	Metro City or County
FAIN	
CFDA No./Assistance Listing	
Recipient Address	2877 W Coon Lake Rd
Recipient Address 2	
Recipient Address 3	
Recipient City	Howell
Recipient State/Territory	MI
Recipient Zip5	48843
Recipient Zip+4	0000
Recipient Reporting Tier	Tier 5. Metropolitan cities and counties with a population below 250,000 residents that are allocated less than \$10 million in SLFRF funding, and NEUs that are allocated less than \$10 million in SLFRF funding
Base Year Fiscal Year End Date	6/30/2024
Discrepancies Explanation	
Is the Recipient Registered in SAM.Gov?	Yes

Report

Revenue Replacement

Is your jurisdiction electing to use the standard allowance of up to \$10 million, not to exceed your total award allocation, for identifying revenue loss?	Yes
Revenue Loss Due to Covid-19 Public Health Emergency	\$1,173,315.56
Were Fiscal Recovery Funds used to make a deposit into a pension fund?	No
Please provide an explanation of how revenue replacement funds were allocated to government services	Township Office, Meeting Room and Fire Station maintenance and upgrades.

Overview

Total Obligations	\$620,001.08
Total Expenditures	\$620,001.08
Total Adopted Budget	\$620,001.08
Total Number of Projects	1
Total Number of Subawards	0
Total Number of Expenditures	0

Have you expended \$750,000 or more in federal award funds during your most recently completed fiscal year?	No
---	----

Certification

Authorized Representative Name	Robert Hanvey
Authorized Representative Telephone	(517) 546-1588
Authorized Representative Title	Supervisor
Authorized Representative Email	supervisor@mariontownship.com
Submission Date	4/27/2024 6:25 PM

MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Purchase of Development Rights
Date: April 18, 2024

Attached to this memo are two pages relating to a millage to fund the Purchase of Development Rights. The ordinance relating to PDRs was approved at the October 12, 2023 Board meeting.

The first page is a draft of the language that could be used for a ballot proposal. The second page is an information page about the PDR proposal.

The Township Board must approve the language in order to get it on the ballot.

PROPOSAL X

MARION TOWNSHIP FARMLAND AND OPEN SPACE LAND PRESERVATION MILLAGE

PROPOSAL TO PERMANENTLY PRESERVE FARMLAND AND OPEN SPACE THROUGHOUT THE TOWNSHIP BY PROVIDING FUNDING FOR THE VOLUNTARY PURCHASE OF DEVELOPMENT RIGHTS (PDR).

Shall the Township of Marion permanently preserve farmland, open space, wildlife habitat, scenic views, and protect drinking water by funding the voluntary purchase of development rights (PDR) in land throughout the Township, and enable the Township to optionally take advantage of matching funds from the State of Michigan and elsewhere, by levying the authorized millage for the Township of Marion by *1.00 mills* (\$ *1.00* per \$1,000 of taxable value) for the ten fiscal years 2025 through 2034, inclusive. In the first year the estimated revenue will be \$ *757,000.*

The following is for informative purposes only;

Any remaining funds in the PDR account held by the Township of Marion after the ten year term of this proposal will be used to fund any voluntary purchase of development rights for open spaces or farmland in the Township of Marion. These remaining funds can be also be used to fund the voluntary purchase of interests in land for the development of parks, walking and bike trails, cemeteries, and other recreational opportunities throughout the Township of Marion.

Why Should We Support a Purchase of Development Rights (PDR) Program

A Purchase of Development Rights (PDR) program creates the ability for a local government to limit or prevent development of land in accord with community growth management and land protection goals while landowners of the land are provided financial compensation for the protection of their land.

Purchasing development rights from landowners and creating development restrictions allows local governments to maintain wildlife habitats while letting private property owners continue to use the land in a limited fashion as outlined in the conservation easement. The local government by purchasing development rights can help implement comprehensive plan objectives as well as limiting infrastructure costs (water, sewer, and power lines, power generation, roads, etc.) associated with urban sprawl and rural development. In addition, by limiting development, the local government can safeguard farmland, open spaces, watersheds and mitigate the effects of storm runoff and associated costs as well as possibly preventing floods.

What is a Purchase of Development Rights (PDR) Program?

Purchase of Development Rights (PDR) programs are incentive based, **voluntary programs**, administered by a public or government agency or a land trust, that purchase conservation easements from landowners in order to remove the element of future development from eligible lands. PDR programs also seek to permanently protect productive, sensitive, or aesthetic landscapes.

The landowner is allowed to continue their farming activities as usual while abiding to the restrictions of the conservation easement. The landowner or heirs may sell the property at a future date if they so desire, however, the conservation easement is permanently recorded on the property title, it accompanies the land in perpetuity.

What is a Conservation Easement?

A conservation easement is a **voluntary legal agreement** between a landowner and a land trust or government agency that permanently limits uses of the land, such as development, in order to protect its conservation values. Landowners retain many of their rights, including the right to own and use the land, sell it and pass it on to their heirs.

Project Overview

Does your jurisdiction have projects to report as of this reporting period?	My jurisdiction has projects to report
---	--

Project Name: Township Office Maintenance & Upgrade

Project Identification Number	Hall
Project Expenditure Category	6-Revenue Replacement
Project Expenditure Subcategory	6.1-Provision of Government Services
Status To Completion	
Adopted Budget	\$620,001.08
Total Cumulative Obligations	\$620,001.08
Total Cumulative Expenditures	\$620,001.08
Current Period Obligations	\$620,001.08
Current Period Expenditures	\$620,001.08
Project Description	Township Office, Meeting Room and Firehall: Roof, Siding, Paint, Flooring, Expansion, Sound System, Kitchen & Bathroom Fixtures

MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Hometown Phase III Lease
Date: May 9, 2024

Below is from an email I received from our Township Attorney about leasing Hometown Phase III.

Bob:

You called and asked what the Township should do regarding Home Town Phase III, which it bought on a tax sale. According to my information, the property sat vacant for years and unfarmed. It is zoned urban residential, which does not permit farming. The neighbors are complaining, as I understand it, that people are riding 4 wheelers on the land, which is not a park or presumably not otherwise open to the public.

I do not recommend the Township lease the land for farming, as such a use in the absence of a grandfathered farming activity, would be a violation of our own zoning ordinance. I would put the issue before the board and have the board vote to close the property to public access. Assuming the board votes to close the property, then I would post it "no trespassing" and advise LCSD that no one should be accessing the land. Give the LCSD a copy of the minutes of the board meeting where the property was closed to the public.

John L. Gormley (P-53539)
Gormley Law Offices, PLC
101 East Grand River Ave.
Fowlerville, MI 48836
(517) 223-3758 (office)
(517) 223-8233 (fax)
(517) 719-7391 (cell)
e-mail: john@gormleylaw.net
web page: <http://www.gormleylawoffices.com>