

*Approved by: _____

Larry Grunn, *Chairperson*

Date: _____

MARION TOWNSHIP PLANNING COMMISSION

CONFERENCE CALL MEETING MINUTES

April 28, 2020 / 7:30PM

MEMBERS PRESENT:

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

OTHERS PRESENT:

DAVE HAMANN – ZONING ADMINISTRATOR
JOHN ENOS – PLANNER WITH CARLISLE WORTMAN
TODD LEKANDER - OWNER OF MUGG & BOPPS

MEMBERS ABSENT:

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA:

Approval of the Regular Meeting Agenda for April 28, 2020

Cheryl Range motioned to approve the agenda. Bruce Powelson seconded. **MOTION CARRIED**

CALL TO THE PUBLIC:

NONE

NEW BUSINESS:

- **MUGG & BOPPS PRE-APPLICATION FOR DRIVE-THRU SERVICE**

Todd Lekander stated that he would like to have a Dunkin Donut store at his new Mugg & Bopps location. He would also like to add a drive-thru service to this location. The public would really like to see a drive-thru at this location as well. The drive-thru would be where the rear door is located now. Todd is here today for a pre-application review of his drive-thru.

John Enos said that he is seeing these drive-thrus throughout many communities nowadays and that this is very common in a lot of similar businesses. Mr. Lekander's drive-thru would require a special use permit and John does not have any issues with that. There are only a few people within the 300 foot radius that would have to be notified and then it would go through the public hearing process. John said there are two things we need to look at; Drainage and setbacks. We want to make sure that people don't line up along the drive on the left side. John does not have a problem moving forward with this, as long as we have a public hearing and he and Phil Westmoreland get a chance to look at this in more detail.

Larry Grunn is concerned about the drain being put back in place.

Todd Lekander said that the landscaping was originally going to be in the front area along D19 and also along the north side by the driveway. He is hoping to put some evergreens along the west side of the property to help with the wind that comes in through that side. DTE came in and said that they are going to change the way the power lines run through. They did finish that this past Spring. Now the landscapers will be able to start the landscaping work. The stormwater retention was designed to accommodate the hard surface by the drive through. Todd did speak with Bob Dymond and said that he would show Bob where he can put his stormwater drain. He told Bob that it could start at the corner of his property and run over to the wetlands. Bob is now saying that his septic system would be in the way, so he would need to run it through my property. Todd looked into it and believes he would be able to solve this issue without affecting everyone else. Bob doesn't agree and has insisted that he would still need a 40-foot easement on Todd's property. Steve from the Road commission told Todd that they are now going to put in the drain along the east side of the property. The Road Commission, DEQ and Drain Commission have been working together to get this resolved. The northeast corner of Bob Dymond's property is where they are going to put in a pipe and run the drain line along the front of our property, over to the far north side of our property.

Jim Anderson asked if the drain being proposed along D19 near the Marion Township #5 drain, will be open or closed?

Todd Lekander said that this drain will be a closed drain.

Jim Anderson asked if we know how much it will reduce the water level in that pond.

Todd Lekander said that he is not sure.

Todd Lekander said that he has spent more time discussing this drain issue involving Mr. Dymond, then he has spent dealing with his own property. Todd doesn't think it makes sense to dig up his own property for Mr. Dymond, when there is another solution possible.

Jim Anderson would like to know more information about the drain that will run along the west side of D19. He also wants to know what kind of water level changes will happen as a result.

Larry Grunn said that we should consider bringing Dan Lowe into this because he is probably going to have more information regarding this drain. Larry asked if we need to see something from the Road Commission regarding this drain. Larry Grunn agrees with Todd regarding the tree line that will help protect the building from the wind that comes through that side.

Jim Anderson asked if he is going to plant Evergreens in the center circle area as well?

Todd Lekander said they would only be on the outside of the property.

Jim Anderson said we need to see the evergreen trees on the plans.

Larry Grunn thinks they should put the tree line on the west side so we don't risk impacting the view of drivers passing by.

John Enos thinks that Phil and the Road Commission will be able to provide enough detail and suggestions to make this work. John said that we don't need to hold Mr. Lekander hostage or prevent him from moving forward on this. Also, the Township is possibly going to want to set up an Escrow Account for the landscaping work.

Jim Anderson asked if Todd plans to develop the property to the west of him.

Todd Lekander said not at this time, but in the future, he might want to expand to the west.

Jim stated that the traffic will increase dramatically after the drive-thru is put in and is concerned about traffic flow in the parking lot.

Todd said the traffic they will draw into that end of the parking lot, will be very limited during the day. Todd suggested possibly putting in a large mirror or something in that corner. He is confident that they will be able to come up with a solution.

Jim Anderson suggested a median that would separate the drive-thru traffic from the parking lot traffic.

John said that they can work out these kinds of details, when they do a more detailed review.

Todd said that the consumer is pretty resilient and that they are usually pretty good at figuring things like this out. However, he is open to addressing these things as they move along.

Jim asked about the timeline from the Drain Commission in getting this drain put in?

Todd said they plan on starting pretty soon. They told Todd that they would like to have this done before the next school year starts.

Bruce Powelson has always been concerned about the pond in that area, so he is happy to hear that this is going to be resolved. He is still very interested in seeing an electric charging station installed. He thinks Todd should make that a serious consideration.

Bob Hanvey asked if we need to see something that explains what Todd is going to be doing in that part of the building?

Todd said that every interior drawing that he has ever provided, shows the plans for the bakery. It has always shown that space and he has always discussed the use of that space.

Bob asked what the process is for adding a use permitted by right to a special use permit.

John Enos said that we just need to take into consideration the extra parking for the Bakery employees. That is really the only change.

Todd said that this will be a wholesale bakery and they will not be selling them to the public from that area. They are only baking for the DD stores. There is a driver that then takes the donuts to all of our different locations.

Bruce Powelson asked if the generator is in existence right now?

Todd said yes, it is.

John said he is not sure if Dave would be comfortable handling the public hearing and the special use permit process during the same meeting. He asked if the Board gets final approval on this.

Bob said yes, that is correct.

John asked if we can set a public hearing for May?

Dave explained that his job is technically not considered "essential" at this current time and the Township is currently not even open right now. Dave said once that changes and the Township re-opens or my job is considered essential, then we can move forward with a public hearing. Dave asked if this has to go to the County for approval?

John said no it does not. Only re-zoning has to go to the County.

Jim Abraham asked if this was a good time to make some public comments on the project.

Bob Hanvey said yes.

Jim Abraham said he is the future owner of McGowan's Mini Storage. Jim Abraham is in favor of what Todd Lekander is trying to do at his new gas station. He thinks that it looks like a great idea and he completely supports this addition. He said regarding the pond situation, the water is now encroaching onto McGowan's Storage property. It is now starting to cause ingress and egress issues. If we were to have a really bad storm, the storage facility would be under water. He is glad that the Drain Commission has decided to resolve the drain issue but the letter that they sent out, does not explain WHEN they plan on actually making these repairs because of the current COVID19 situation. Jim said, since we do not know when the Drain Commission will be able to resolve this drain issue, my proposal is that we should put a secondary measure in place. Jim suggested that maybe when Todd begins the excavation for his drive through, we could put a pipe in place as a provision. At least this way, if the Drain Commission does not resolve the original drain problems in a reasonable time frame, we have a secondary solution in place.

Cheryl Range asked if the new Dunkin Donut location would take anything away from the existing Dunkin Donuts location.

Todd Lekander said that nothing will change at the current Dunkin Donuts location and that this new facility will be in addition to what they already have set up at the existing location.

John Enos said that the Commissioners can decide to make a motion tonight to set a public hearing for the future but we have to check to make sure that it is legal to have a public hearing during a lockdown over video conference.

Jim Anderson said that we need to make sure that Todd Lekander has a revised site plan available for the Public Hearing. It should contain all of the revisions discussed at tonight's meeting.

Dave Hamann said that Todd Lekander has not yet applied for a special use permit nor has he been able to pay any of the fees, since the Township office is currently not even open. Therefore, the Planning Commission members should not be scheduling any public hearings at this time. Not until the Township reopens and Todd Lekander is able to apply for a special use permit and pay the application fees. The Township office is technically not even open right now. Just because there are still two people in the office answering the phones and taking messages, does not mean that we are technically open. Everything Zoning related is CLOSED right now.

Bob Hanvey said that he is hoping they are allowed to reopen the office on May 18 but that date could change at any time. John Enos said hopefully we will have more answers in a couple days.

Dave Hamann said that we cannot move forward with anything until he is allowed to return to work. Right now, "Zoning" is not considered to be essential and he cannot do anything until that changes.

ADJOURNMENT:

Cheryl Range motions to adjourn the meeting at 8:54pm. Larry Grunn seconded. **MOTION CARRIED**